Page 1 of 3

EXECUTIVE SUMMARY - ENFORCEMENT MATTER

DOCKET NO.: 2007-0441-MLM-E TCEQ ID NOS.: RN100524099, RN101608545 CASE NO.: 32938

| RESPONDENT NAME: | CITY C | F LAREDO |
|-------------------------|--------|----------|
|-------------------------|--------|----------|

| ORDER TYPE: | | |
|---|---|--|
| _1660 AGREED ORDER | X FINDINGS AGREED ORDER | FINDINGS ORDER FOLLOWING SOAH HEARING |
| FINDINGS DEFAULT ORDER | SHUTDOWN ORDER | IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER |
| _AMENDED ORDER | _EMERGENCY ORDER | · |
| CASE TYPE: | | |
| AIR | XMULTI-MEDIA (check all that apply) | INDUSTRIAL AND HAZARDOUS WASTE |
| X PUBLIC WATER SUPPLY | PETROLEUM STORAGE TANKS | OCCUPATIONAL CERTIFICATION |
| X_WATER QUALITY | SEWAGE SLUDGE | UNDERGROUND INJECTION CONTROL |
| MUNICIPAL SOLID WASTE | RADIOACTIVE WASTE | DRY CLEANER REGISTRATION |
| TYPE OF OPERATION: Public water support of the significant matters: The regarding this facility location. INTERESTED PARTIES: No one other that COMMENTS RECEIVED: The Texas Region CONTACTS AND MAILING LIST: TCEQ Attorney: Ms. Mary E. Cole Ms. Jennifer Cool TCEQ Enforcement Coordinator: TCEQ Regional Contact: Ms. Rose Respondent: The Honorable Raul GLaredo, Texas 78040 | ED: 2519 Jefferson Street, Laredo, Webb Couply system, public water utility, and wastewater No e are no complaints. There is no record of add in the ED and the Respondent has expressed an ister comment period expired on May 26, 2008 man, Litigation Division, MC R-4, (817) 588-5 k, Litigation Division, MC 175, (512) 239-1875 Mr. Epifanio Villarreal, Water Enforcement Sec Luna-Pirtle, Laredo Regional Office, MC R-1 & Salinas, Mayor of City of Laredo, City Hall, intented by counsel on this enforcement matter. | itional pending enforcement actions interest in this matter. No comments were received. 5917 3 ection, MC R-13, (210) 403-4033 6, (956) 753-4052 |
| • | | |

certified area.

RESPONDENT NAME: CITY OF LAREDO DOCKET NO.: 2007-0441-MLM-E

| VIOLATION SUMMARY CHART: | · · · · · · · · · · · · · · · · · · · | |
|--|--|---|
| VIOLATION INFORMATION | PENALTY CONSIDERATIONS | CORRECTIVE ACTIONS TAKEN/REQUIRED |
| Type of Investigation: | Total Assessed: \$8,030 | Ordering Provisions: |
| Complaint X Routine Enforcement Follow-up | Total Deferred: \$0 Expedited Settlement | The Respondent shall undertake the following technical requirements: |
| Records Review | Financial Inability to Pay | 1. Immediately: |
| Date of Complaints Relating to this Case: N/A | SEP Conditional Offset: \$8,030 | a. Begin correctly monitoring the turbidity of the CFE; |
| Dates of Investigations Relating to this Case: | Total Due to General Revenue: \$8,030 | b. Begin correctly monitoring the filtered water turbidity of the IFE; and |
| January 11, 2007; January 18, 2007; January 19, 2007 Dates of NOEs Relating to this Case: | The administrative penalty shall be conditionally offset by the completion of a Supplemental Environmental Project (SEP). | c. Begin operating the water system's chlorination facilities to maintain a free chlorine residual of 0.2 mg/L throughout the distribution system at all times. |
| February 2, 2007; February 21, 2007 | Site Compliance History Classification: | 2. Within 30 days: |
| Background Facts: The case was referred to the Litigation Divison on July 19, 2007. A signed Agreed Order was received on March 14, 2008. | High X Average Poor Person Compliance History Classification: High X Average Poor | a. Submit written certification demonstrating compliance with Ordering Provision No. 1; b. Update the chemical and microbiological monitoring plan so that it includes all |
| | Major Source: X Yes No | locations where coliform monitoring is conducted; |
| MLM | Applicable Penalty Policy: September 2002 | c. Calibrate and maintain records for the calibration of the benchtop turbidimeters, |
| Failed to conduct an annual inspection, tested by a certified backflow prevention assembly tester, on all backflow prevention assemblies used for health hazard protection [30 Tex. Admin. Code § 290.44(h)]. Failed to provide the number of connections | Findings Order Justification: The Respondent has had three repeated enforcement actions (NOVs) over the prior five year period for the same or similar violations. | online turbidimeters, and online chlorine meters; d. Provide the number of connections in the distribution system to the Commission; e. Repair the leaks at the lower plant and the pumps at the Milmo and Hendricks pump stations; and |
| in the distribution system [30 TEX. ADMIN. CODE § 290.46(f)(4)(A)]. | | f. Submit the annual sludge report for the monitoring period ending July 31, 2006 to TCEQ. |
| 3. Failed to house all gas chlorination and ammonia equipment in separate buildings or | | 3. Within 60 days: |
| separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the chlorine facilities [30 Tex. ADMIN. CODE § 290.42(e)]. | | a. Submit written certification demonstrating compliance with Ordering Provision Nos. 2.b. through 2 f.; b. Update the cross-connection control |
| 4. Failed to provide accurate testing equipment or some other means of monitoring the effectiveness of any chemical treatment process used by the system or to verify the accuracy of manual disinfectant residual analyzers in the chlorine residual test kit at least once every 30 days using chlorine solutions of known concentrations [30 Tex. Admin. Code § 290.46(s)]. | · | program, test all backflow prevention assemblies and certify each to be operating within specifications; c. Contain all gas chlorination and ammonia equipment in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the disinfection facilities; and |
| 3 220.70(3)j. | | d. Submit a planning report that clearly explains how the retail public utility will provide the expected service demands to the remaining areas within the boundaries of its |

RESPONDENT NAME: CITY OF LAREDO DOCKET NO.: 2007-0441-MLM-E

| VIOLATION SUMMARY CHART: | | |
|--|------------------------|--|
| VIOLATION INFORMATION | PENALTY CONSIDERATIONS | CORRECTIVE ACTIONS TAKEN/REQUIRED |
| 5. Failed to maintain a minimum free chlorine residual of 0.2 mg/L or total chlorine of 0.5 mg/L throughout the distribution system at all times [30 Tex. ADMIN. CODE § 290.46(d)(2)]. | | 4. Within 75 days, submit written certification to demonstrate compliance with Ordering Provision Nos. 3.b. through 3.d. |
| 6. Failed to maintain all water facilities and related appurtenances in a watertight condition [30 Tex. ADMIN. CODE § 290.46(m)(4)]. | | The Respondent shall implement and complete a Supplemental Environmental Project (SEP) (See SEP Attachment A). |
| 7. Failed to correctly monitor the turbidity of the Combined Filter Effluent ("CFE") [30 Tex. ADMIN. CODE § 290.111(c)(2)]. | | · |
| 8. Failed to correctly monitor the filtered water turbidity of the Individual Filter Effluent ("IFE") [30 Tex. Admin. Code § 290.111(c)(3)]. | | |
| 9. Failed to maintain and up-to-date chemical and microbiological monitoring plan [30 Tex. ADMIN. CODE § 290.121(a)]. | | · |
| 10. Failed to submit to the Executive Director a planning report that clearly explains how the retail public utility, that has reached 85% of its capacity, will provide the expected service demands to the remaining areas within the boundaries of its certified area [30 Tex. Admin. Code '291.93(3)]. | | |
| 11. Failed to submit the annual sludge report to the Commission by September 1, 2006 [30 Tex. Admin. Code ' 305.125(1) and the Texas Pollution Discharge Elimination System ("TPDES") Permit No. 10681-001, Sludge Provisions]. | | • |
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Attachment A Docket Number: 2007-0441-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:

City of Laredo

Penalty Amount:

Eight thousand thirty dollars (\$8,030)

SEP Amount:

Eight thousand thirty dollars (\$8,030)

Type of SEP:

Pre-approved SEP

Third-Party Recipient:

Texas Association of Resource Conservation & Development Areas, Inc. ("RC&D") Water or Wastewater Treatment Assistance

Location of SEP:

Webb County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset the administrative Penalty Amount assessed in this Agreed Order for Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

Respondent shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be to the **Texas Association of Resource Conservation and Development Areas, Inc. ("RC&D")** for the *Water or Wastewater Treatment Assistance* program in Webb County. Any remaining SEP funds after completion of the water or wastewater project may, upon approval of the Executive Director, be spent on the Plugging Abandoned Water Wells program, Cleanup of Unauthorized Trash Dumps, Abandoned Tire Site Cleanup, or other approved project to be conducted within Webb County. Specifically, SEP monies will pay for assistance to low-income residents with failing on-site wastewater systems or shallow or improperly designed potable water wells. The projects will be administered in accordance with federal, state, and local environmental laws and regulations.

Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

The wastewater portion of this SEP will provide a discernible environmental benefit by preventing the release of sewage into the environment. Raw sewage can carry bacteria, viruses, protozoa (parasitic organisms), helminthes (intestinal worms), and bioaerosols (inhalable molds and fungi). The diseases they may cause range in severity from mild gastroenteritis (causing stomach cramps and diarrhea) to life-threatening ailments such as cholera, dysentery, infectious hepatitis, and severe gastroenteritis. People can be exposed through:

- Sewage in drinking water sources.
- Direct contact in areas of public access such as in lawns or streets, or waters used for recreation.

City of Laredo Agreed Order – Attachment A Docket No. 2007-0441-MLM-E

- Shellfish harvested from areas contaminated by raw sewage.
- Inhalation and skin absorption.

Sewage overflows may cause damage to the environment. A key concern with sewage overflows is the effect on rivers, lakes, streams, or aquifer systems. In addition to potential spread of disease, sewage in the environment contributes excess nutrients, metals, and toxic pollutants that contaminate water quality, cause excess algae blooms, and kill fish and other organisms in aquatic habitats.

The unauthorized trash dump and abandoned tire clean up portions of this project would provide a discernable environmental benefit by providing for the proper disposal of debris and waste, reducing the potential health threats associated with illegally dumped wastes, helping rid the community of hazardous contaminants that may leach into the soil and water, and helping to prevent the release of harmful chemicals into the air should illegally dumped tires catch fire.

The plugging of abandoned wells project would provide an environmental benefit by reducing the potential for contamination of groundwater and aquifers from pollutants that may be dumped into the well opening.

Recycling of antifreeze would provide an environmental benefit by providing a convenient disposal method for used antifreeze. Antifreeze (ethylene glycol) is a common coolant for automobile engines. Ingestion of antifreeze and its derivatives may lead to kidney failure and harmful effects to the liver. Exposure to ethylene glycol may cause eye and skin irritation. If improperly disposed in the environment, ethylene glycol may be ingested by domestic animals or wildlife. Ingestion may be fatal to small animals. A sudden release of ethylene or propylene glycol into a waterway can produce adverse impacts upon fresh water and marine environments. Glycol degradation in the environment has a high oxygen demand and as a result threatens or negatively impacts aquatic life. Ammonia gas is also released to the environment by the degradation of glycols.

C. Minimum Expenditure

Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent shall contribute the SEP Amount to the Third-Party Recipient. Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Texas Association of Resource Conservation and Development Areas, Inc. (RC&D) Attention: Eddi Darilek 1716 Briarcrest Drive Suite 510 Bryan, Texas 77802-2700

3. Records and Reporting

Concurrent with the payment of the SEP Amount, Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. Respondent shall mail a copy of the check and transmittal letter to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due with the notation "SEP Refund" and the docket number of the case, and shall send it to "Texas Commission on Environmental Quality" and mailed to:

Litigation Division Attention: SEP Coordinator, MC 175 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP made by or on behalf of Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as a SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.

| Policy Revision 2 (Septe | - | n Worksheet (PCW) | W Revision January 9, 2007 |
|--|--|--|----------------------------|
| TCEQ DATES Assigned PCW | 27-Feb-2007 27-Apr-2007 Screening 6-Mar-2007 | EPA Due | |
| RESPONDENT/FACILITY Respondent [Reg. Ent. Ref. No.] Facility/Site Region [CASE INFORMATION | City of Laredo RN101608545 | Major/Minor Source Major | |
| Enf./Case ID No. S Docket No. 2 Media Program(s) N Multi-Media Admin. Penalty \$ L | 2007-0441-MLM-E Water Quality | No. of Violations 1 Order Type Findings Enf. Coordinator Thomas Barne EC's Team EnforcementT | eam 2 |
| | Penalty Calcula | tion Section | |
| TOTAL BASE PENAL | TY (Sum of violation base penaltie | es) Subtotal 1 | \$2,500 |
| ADJUSTMENTS (+/-) | TO SUBTOTAL 1 ed by multiplying the Total Base Penalty (Subtotal 1) by | the indicated percentage | |
| Compliance Histo Notes | | Enhancement Subtotals 2, 3, & 7 Notice of Violation with the | \$125 |
| Culpability | No 0% | Enhancement Subtotal 4 | \$0 |
| Notes | The Respondent does not meet the | | 73 |
| Good Faith Effort Extraordinary Ordinary N/A | to Comply 0% Before NOV NOV to EDPRP/Settlement Offer X (mark with x) | Reduction Subtotal 5 | \$0 |
| Notes | The Respondent does not meet the | e good faith criteria. | |
| | | Enhancement*. Subtotal 6 at the Total EB \$ Amount | \$0 |
| SUM OF SUBTOTALS | 1-7 | Final Subtotal | \$2,625 |
| | JUSTICE MAY REQUIRE btotal by the indicated percentage. (Enter number only | Adjustment ; e.g30 for -30%.) | . \$0 |
| Notes | | | |
| | | Final Penalty Amount | \$2,625 |
| STATUTORY LIMIT AL | DJUSTMENT | Final Assessed Penalty | \$2,625 |
| DEFERRAL Reduces the Final Assessed Penal | ly by the indicted percentage. (Enter number only; e.g | 0% Reduction Adjustment . 20 for 20% reduction.) | \$0 |
| Notes | No deferral is recommended for | Findings Orders. | |

Respondent City of Laredo

Docket No. 2007-0441-MLM-E

PCW

Policy Revision 2 (September 2002) PCW Revision January 9, 2007

Case ID No. 32938
Reg. Ent. Reference No. RN101608545
Media [Statute] Water Quality
Enf. Coordinator Thomas Barnett

Compliance History Worksheet

| | y Site Enhancement (Subtotal 2) Number of | Enter Number Here | Adjust. |
|--------------------------------|--|--------------------|------------|
| NOVs | Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria) | 1 | 5% |
| | Other written NOVs | O. 14-140 | 0% |
| | Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria) | 0 | 0% |
| Orders | Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission | | 0% |
| Judgments | Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria) | 0 | 0% |
| and Consent Decrees | Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government | | 0% |
| Convictions | Any criminal convictions of this state or the federal government (number of counts) | 0.0 | 0% . |
| Emissions | Chronic excessive emissions events (number of events) | 0 | 0% |
| Audits | Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) | | 0% |
| Audits | Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) | 0:10 | 0% |
| | Plea | se Enter Yes or No | |
| • | Environmental management systems in place for one year or more | No | 0% |
| Other - | Voluntary on-site compliance assessments conducted by the executive director under a special assistance program | No | 0% |
| Other - | Participation in a voluntary pollution reduction program | No | 0% |
| | Early compliance with, or offer of a product that meets future state or federal government environmental requirements | No | 0% |
| | Adjustment P | ercentage (Sเ | ıbtotal 2) |
| Violator (Su | btotal 3) | | |
| No | Adjustment P | ercentage (Si | ıbtotal 3) |
| ance History | / Person Classification (Subtotal 7) | | |
| Average P | erformer Adjustment P | ercentage (Sเ | ıbtotal 7) |
| ance History | / Summary | | . Post Sak |
| Compliance History Notes | The penalty enhancement is due to one Notice of Violation with the same or similar violations current enforcement action. | s that are in the | |
| • | Total Adjustment Percentage | | |

| Scre | ening Date 6-Mar-2007 | Docket No. : | 2007-0441-MLM-E | PCW |
|--|--|--|--|----------------------------|
| F | Respondent City of Laredo | | Policy Re | evision 2 (September 2002) |
| | Case ID No. 32938 | | PCV | V Revision January 9, 2007 |
| Reg. Ent. Re | ference No . RN101608545 | i | | |
| Med | lia [Statute] Water Quality | | | |
| | Coordinator Thomas Barn | | | |
| Viol | ation Number 1 | | | |
| | Rule Cite(s) 30 Tex. A | dmin. Code § 305.125(1) and TPDES Pe | ermit No. 10681-001, Sludge | |
| | 30 70 | Provisions | | |
| 1 | | | | |
| Violatio | n Description Failed to sul | omit the annual sludge report to the Com | mission by September 1, 2006. | |
| | | | Base Penalty[| \$10,000 |
| >> Environmenta | I, Property and Human | Health Matrix | 1000 | |
| | | Harm | CONTROL OF SECOND CONTROL CONT | |
| | Release Major | Moderate Minor | | |
| OR: | Actual | | Percent 0% | |
| | Potential | | Percent 0% | |
| >>Programmatic | Matrix | | , | - |
| | Falsification Major | Moderate Minor | | |
| | X | | Percent 25% | |
| | | | | |
| Matrix Notes | The respor | dent failed to comply with 100% of the ru | ıle requirement. | |
| | | A. | djustment \$7,500 | |
| | | | | |
| | | | To a control of the c | \$2,500 |
| | | | | |
| Violation Events | | | | |
| , | Number of Violation Events | 1 365 | Number of violation days | |
| | · · · · · · · · · · · · · · · · · · · | | · · · · · · · · · · · · · · · · · · · | |
| | daily | | | |
| | monthly | | F | |
| | mark only one quarterly | | Violation Base Penalty | \$2,500 |
| | with an x semiannual. | | | |
| | annual single event | X | | |
| | | | | |
| | | | i de per para de la compania del compania del compania de la compania del compania del compania de la compania de la compania del com | |
| | | One annual event recommended. | | |
| | | | | |
| Economic Benefit | t (EB) for this violation | the state of the s | Statutory Limit Test | |
| | Estimated EB Amount | \$41 | Violation Final Penalty Total | \$2,625 |
| | Louinated Lo Amount | - | - | |
| entre and comment of the property of the second | | This violation Final Assess | ed Penalty (adjusted for limits) | \$2,625 |
| PRESENTATION OF THE PROPERTY O | er en la | | | |

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| | | conomic | Benefit V | Vork: | sheet | | |
|---|-------------------|-----------------------------------|--|--|---|--|---|
| Respondent | t City of Laredo | Intelligation of the Article Con- | MD 2.1 | | i di Le li di illili di Ala | DIAN KANARATA DI PERSE | 9.9 |
| Case ID No | | | | | | | |
| Reg. Ent. Reference No | | | | | | | |
| #요즘 이 두 집 나는 나에게 되는 이 어디에게 이 집에 나를 먹다. | Water Quality | | | | | Profesional Control | Years of |
| Violation No. | , | | | | | Percent Interest | Depreciation |
| Violation No. | | TOWNSHIPPING THE PROPERTY OF A | State of the state | 4-5-5 | | | * *** 6.00.00 |
| | | | and the second | | | 5.0 | 1 |
| | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
| Item Description | n No commas or \$ | | | | | | |
| | | | | | | | |
| Delayed Costs | | | | | (1) (1) (1) (1) (1) (1) (1) (1) (1) (1) | | |
| Equipment | 1.74. Tga | | | 0.0 | \$0 | \$0. | \$0 |
| Buildings | 7 - 2 - 2 | Mineral Designation | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | \$500 | 1-Sep-2006 | 31-Oct-2007 | 1.2 | \$2 | \$39 | \$41 |
| Engineering/construction | | (#.4s * e **) | ļ | 0.0 | \$0 | \$0 | \$0 |
| Land | | | <u> </u> | 0.0 | \$0 | n/a > | \$0 |
| Record Keeping System | | Alle de deservir | <u> </u> | 0.0 | \$0 | resultania (m. 1865) | \$0 |
| Training/Sampling | | 1.58/6.15 · · · / | <u> </u> | 0.0 | \$0 | Harrist n/a ut | \$0 |
| | | | | | | | |
| Remediation/Disposal | | | 1 | 0.0 | \$0 | na.com/austre | \$0 |
| Permit Costs | | E Suese in a | | 0.0 | \$0 | i walen/a | \$0 |
| • | | | | | | | |
| Permit Costs Other (as needed) Notes for DELAYED costs | | t to produce and s | d the final date is t | 0.0 0.0 DMRs. 1 he estim | \$0 \$0 The date required atted date of comp | s the due date for th | \$0 \$0 e sludge repor |
| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs | | t to produce and s | d the final date is t | 0.0 0.0 DMRs. The estim | \$0 \$0 The date required a ated date of comp | s the due date for th lance. | \$0 \$0 e sludge repor |
| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal | | t to produce and s | d the final date is t | 0.0 0.0 DMRs. 7 he estim | \$0 \$0 The date required i ated date of comp item (except for | s the due date for th lance. | \$0 \$0 e sludge repor |
| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel | | t to produce and s | d the final date is t | DMRs. The estime | \$0 \$0 The date required a ated date of comp item (except for \$0 \$0 | s the due date for the lance. one-time avoided company solutions are solutions. | \$0 \$0 e sludge repor osts) \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling | | t to produce and s | d the final date is t | DMRs. The estimentering 0.0 0.0 0.0 0.0 0.0 | \$0 \$0 The date required is ated date of comp item (except for \$0 \$0 \$0 | s the due date for the | \$0 \$0 e sludge repor osts) \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment | | t to produce and s | d the final date is t | DMRs. The estime | \$0 \$0 The date required a ated date of comp item (except for \$0 \$0 | s the due date for the lance. one-time avoided company solutions are solutions. | \$0 \$0 e sludge repor osts) \$0 \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] | | t to produce and s | d the final date is t | 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 | \$0 \$0 The date required in ated date of composite item (except for \$0 \$0 \$0 \$0 \$0 | s the due date for thiance. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | \$0 \$0 e sludge repor sosts) \$0 \$0 \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment | | t to produce and s | d the final date is t | DMRs. 7 he estim | \$0 \$0 The date required if ated date of comp item (except for \$0 \$0 \$0 | s the due date for thiance. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 | \$0 \$0 e sludge repor osts) \$0 \$0 \$0 |
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| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] | | t to produce and s | d the final date is t | 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 | \$0 \$0 The date required in ated date of composite item (except for \$0 \$0 \$0 \$0 \$0 \$0 | s the due date for thiance. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$ | \$0 \$0 e sludge repor sosts) \$0 \$0 \$0 \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] | | t to produce and s | d the final date is t | 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 | \$0 \$0 The date required in ated date of composite item (except for \$0 \$0 \$0 \$0 \$0 \$0 | s the due date for thiance. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$ | \$0 \$0 e sludge repor sosts) \$0 \$0 \$0 \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | | t to produce and s | d the final date is t | 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 | \$0 \$0 The date required in ated date of composite item (except for \$0 \$0 \$0 \$0 \$0 \$0 | s the due date for thiance. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$ | \$0 \$0 e sludge repor sosts) \$0 \$0 \$0 \$0 \$0 |

Compliance History

| Custome | er/Respondent/Owner-Operator: | CN600131908 (| City of Laredo | | Classification: AVERAGE | Rating: 1.79 |
|-----------|--|---|------------------------------|--|----------------------------|---|
| Regulate | ed Entity: | | CITY OF LAREDO JEFFER | SON | Classification: AVERAGE | Site Rating: 0.24 |
| ID Numb | per(s): | WASTEWATER WASTEWATER WASTEWATER USED OIL WASTEWATER LICE | | PERMIT PERMIT PERMIT REGISTRAT LICENSE | TION | WQ0010681001 TPDES0002542 TX0002542 C86800 WQ0010681001 |
| Location: | | | T, LAREDO, TX, 78040 | | Rating Date: 9/1/2006 Repe | **** |
| TCEQ Re | egion: | REGION 16 - LARED | 0 | | | |
| Date Cor | mpliance History Prepared; | February 28, 2007 | | | | |
| Agency [| Decision Requiring Compliance History: | Enforcement | | | | |
| Compliar | nce Period: | February 28, 2002 to | February 28, 2007 | | | |
| TCEQ St | taff Member to Contact for Additional Infor | mation Regarding this Co | mpliance History | | | |
| Name: | Anita Keese | Phone | (956) 430-6034 | | | |
| | | . Site Co | mpliance History Compo | onents | | |
| 1 Has th | ne site been in existence and/or operation t | | • | Yes | • | |
| | nere been a (known) change in ownership | | | Yes | | |
| | , who is the current owner? | | | City of Lare | do | |
| 4. if Yes | s, who was/were the prior owner(s)? | | | N/A | | - |
| 5. When | n did the change(s) in ownership occur? | | | N/A | | |
| Compoi | nents (Multimedia) for the Site : | | | · | | |
| Α. | Final Enforcement Orders, court judgen | nents, and consent decree | es of the state of Texas and | the federal gove | rnment. | |
| | N/A | | | | | |
| D | Any adminal appriintions of the state of | Toyon and the federal go | /ernment | | | 2 |
| B. | Any criminal convictions of the state of N/A | rexas and the reductal gov | veriment. | | | ÷ |
| C. | Chronic excessive emissions events. | | | | | |
| ٠. | | | | | | |
| <u> </u> | N/A The approval dates of investigations. (C | CEDS inv Track No.) | | | | |
| D. | | CEDS IIIV. Hack. No.) | | | | |
| | 1 01/27/2003 (155294) 2 01/27/2003 (155290) 3 01/27/2003 (155304) 4 01/27/2003 (155302) 5 01/27/2003 (155300) | | | | | |
| | 6 01/27/2003 (155297) 7 01/29/2003 (22051) 8 02/10/2003 (155278) 9 02/10/2003 (155306) 10 03/03/2003 (155281) | | | | • | · |
| , | 11 04/07/2003 (155283) 12 05/20/2003 (294285) 13 06/20/2003 (294286) 14 07/17/2003 (155291) 15 08/20/2003 (294287) | | | | | |
| · | 16 09/23/2003 (294288) 17 10/31/2003 (294289) 18 11/24/2003 (294290) 19 12/29/2003 (294291) | | | | | |

20 01/23/2004

21 02/23/2004 22 03/29/2004

23 04/21/2004

(294292) (294281)

(294283) (294284)

CH-1

```
(351644)
     24 06/14/2004
     25 07/16/2004
                         (351645)
     26
        07/21/2004
                         (351646)
     27
         08/30/2004
                         (351647)
         09/21/2004
                         (351648)
     28
     29
         10/29/2004
                         (381625)
     30
         12/08/2004
                         (381626)
     31
         12/13/2004
                         (381627)
     32 01/18/2005
                         (381628)
     33
        02/15/2005
                         (381623)
        03/21/2005
                         (381624)
     34
     35
        04/25/2005
                         (419421)
     36
        09/08/2005
                         (440582)
     37
        10/27/2005
                         (467998)
     38 11/18/2005
                         (468000)
                         (467999)
     39 12/12/2005
        12/15/2005
                         (468001)
     40
         02/22/2006
                         (467996)
     41
     42
         03/09/2006
                         (467997)
     43
         05/02/2006
                         (497938)
         05/08/2006
                         (497939)
     44
        05/22/2006
                         (463918)
     45
        06/06/2006
                         (497940)
     46
         07/14/2006
                         (519956)
     47
     48
         08/18/2006
                         (519954)
     49
        09/12/2006
                         (519955)
                         (516576)
     50
        10/18/2006
        02/02/2007
                         (538944)
     51
Written notices of violations (NOV). (CCEDS Inv. Track. No.)
      Date: 05/23/2006
                              (463918)
                                                                                Classification:
                                                                                                  Moderate
      Self Report?
                      NO
                          30 TAC Chapter 305, SubChapter F 305.125(11)(B)
      Citation:
                          30 TAC Chapter 305, SubChapter F 305.125(11)(C)[G]
      Rqmt Prov:
                          PERMIT Section II. H.
                          Failure to submit the annual sludge report.
      Description:
      Self Report?
                                                                                Classification:
                                                                                                  Moderate
                          30 TAC Chapter 305, SubChapter F 305.125(1)
      Citation:
      Rqmt Prov:
                          PERMIT Section II. G.
                          Failure to maintain the results of all liquid paint filter tests performed.
      Description:
                                                                                Classification:
                                                                                                  Moderate
      Self Report?
                          30 TAC Chapter 305, SubChapter F 305.125(1)
      Citation:
      Rqmt Prov:
                          PERMIT Section I. 1. b.
                          Failure to provide a flow measuring device on the discharge to the outfall on the
      Description:
                          Rio Grande River.
                                                                                Classification:
                                                                                                  Moderate
      Self Report?
                          30 TAC Chapter 305, SubChapter F 305.125(1)
      Citation:
      Rqmt Prov:
                          PERMIT Section I. 1.b.
      Description:
                          Failure to measure and record flow.
Environmental audits.
  N/A
Type of environmental management systems (EMSs).
```

Ε.

G.

N/A

Voluntary on-site compliance assessment dates. H.

Participation in a voluntary pollution reduction program.

N/A

Early compliance.

N/A

Sites Outside of Texas

N/A

| | | · • | n Worksheet (PCW) | inima tanunan 2 2007 |
|---|--|--|--|--|
| | Policy Revision 2 (Septe | mber 2002) | PCW Rev | ision January 9, 2007 |
| DATE | | 27-Feb-2007 Screening 5-Mar-2007 | EPA Due | |
| RESP | ONDENT/FACILITY I | NFORMATION | | |
| | Respondent | City of Laredo | | |
| F | Reg. Ent. Ref. No. Facility/Site Region 1 | | Major/Minor Source Major | |
| | <u></u> | | The state of the s | |
| CASE | INFORMATION Enf./Case ID No. 3 | (1) (1) (1) (1) (1) (1) (1) (1) (1) (1) | No. of Violations 9 | |
| | Docket No. 2 | 007-0441-MLM-E | Order Type Findings | |
| | Media Program(s) | Public Water Supply | Enf. Coordinator Thomas Barnett | |
| | Multi-Media Admin. Penalty \$ Li | mit Minimum \$50 Maximum | EC's Team EnforcementTeam | |
| | | | | |
| | | Penalty Calculate | ation Section | |
| TOTA | AL BASE PENALT | Y (Sum of violation base penalti | es) Subtotal 1 | \$4,010 |
| ΔDII | JSTMENTS (+/-) T | O SUBTOTAL 1 | | |
| ДРОС | Subtotals 2-7 are obtained | ed by multiplying the Total Base Penalty (Subtotal 1) b | y the indicated percentage. | ting a second to the second could be a second could be a second of the sec |
| | Compliance Histor | F | Enhancement Subtotals 2, 3, & 7 | \$1,243 |
| | | The penalty enhancement is due to thre | | |
| | Notes | (NOVs) containing violations that are t violations in the current enforcement ac | | |
| | al landa. | dissimilar violation | A CONTRACTOR OF THE CONTRACTOR | |
| | Culpability | No 0% | Enhancement Subtotal 4 | \$0 |
| | | | A SAME AND | |
| | Notes | The Respondent does not meet the | e culpability criteria. | |
| | Good Faith Effort | to Comply 09 | Reduction Subtotal 5 | \$0 |
| | S. Gallander Marie Control of the Co | Before NOV NOV to EDPRP/Settlement Offer | 27 V zkali iku kini hisinkan kini manamana kini manamana manama menama menama menama menama menama me | |
| | Extraordinary | | | |
| | Ordinary N/A | x (mark with x) | | |
| | Notes | The Respondent does not meet the | e good faith criteria | |
| | Notes | The Nespondent does not meet a | | |
| | | | Enhancement* Subtotal 6 | \$0 |
| . # # 14 / 5 / 5 / 6 / 6 / 6 | | Total EB Amounts \$6,721 *Cappe ost of Compliance \$10,300 | d at the Total EB \$ Amount | |
| 0.011.000000000000000000000000000000000 | recovery a consequency part of section 1 to 100 to | | | An 000 |
| SUM | OF SUBTOTALS | 1-7 | Final Subtotal | \$5,253 |
| отні | FR FACTORS AS | JUSTICE MAY REQUIRE | Adjustment | \$0 |
| Reduce | s or enhances the Final Sub | ototal by the indicated percentage. (Enter number on | | |
| | Notes | | | |
| | Notes | | | • |
| | L | | Final Penalty Amount | \$5,253 |
| A-1-1- | TODY LIMIT AT | SHICTHENT CONTRACTOR | Final Assessed Penalty | \$5,253 |
| SIAI | TUTORY LIMIT AL | JJUSTWENT | Final Assessed Fenalty | Ψ0,2.00 |
| DEFE | ERRAL | | 0% Reduction Adjustment | \$0 |
| Reduce | s the Final Assessed Penal | ty by the indicted percentage. (Enter number only; e | g. 20 for 20% reduction.) | |
| | Notes | No deferral is recommended fo | r Findings Orders. | |
| | Mores | To dolona lo journimento lo | | |
| ger igni, more | English of the second s | en legge general in vargegeren gog virkning i virkning i virkning ander eksterning general i virkning i virkni | | |
| PAYA | ABLE PENALTY | | | \$5,253 |

Docket No. 2007-0441-MLM-E

PCW

Policy Revision 2 (September 2002) PCW Revision January 9, 2007

Respondent City of Laredo
Case ID No. 32938

Reg. Ent. Reference No. RN100524099

Media [Statute] Public Water Supply

Enf. Coordinator Thomas Barnett

Compliance History Worksheet >> Compliance History Site Enhancement (Subtotal 2)

| Component | Number of | Enter Number Here | Adjust. |
|------------------------|--|--------------------|--------------|
| NOVs | Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria) | 3 | 15% |
| | Other written NOVs | 8 | 16% |
| | Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria) | 0 | 0% |
| Orders | Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission | | 0% |
| Judgments | Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria) | | 0% |
| and Consent Decrees | Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government | | 0% |
| Convictions | Any criminal convictions of this state or the federal government (number of counts) | 0 | 0% |
| Emissions | Chronic excessive emissions events (number of events) | 0 | 0% |
| Audits | Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted) | 0 | 0% |
| | Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed) | U. | 0% |
| | Plea | se Enter Yes or No | |
| | Environmental management systems in place for one year or more | No | 0% |
| Other | Voluntary on-site compliance assessments conducted by the executive director under a special assistance program | No | 0% |
| | Participation in a voluntary pollution reduction program | No | 0% |
| | Early compliance with, or offer of a product that meets future state or federal government environmental requirements | No | 0% |
| | ibtotal 3) | Percentage (S | |
| N/A | Adjustment F | Percentage (Si | ubtotal 3) [|
| iance History | / Person Classification (Subtotal 7) | | |
| | | | |
| Average P | erformer Adjustment F | Percentage (Si | ubtotal 7) |
| iance History | / Summary | | |
| Compliance History | The penalty enhancement is due to three prior Notice of Violations (NOVs) containing violations are or similar to the violations in the current enforcement action, and eight NOVs with dissi | | |
| Notes | | | |
| Notes | Total Adjustment Percentage | e (Subtotals 2 | 2, 3, & 7) |

| Screening Date | 5-Mar-2007 | Docket No | . 2007-0441-MLM-E | P | CW |
|--|--|--|--|---------------------------------------|--------------|
| Respondent | · · | | | Policy Revision 2 (Septembe | er 2002) |
| Case ID No. | | | | PCW Revision January | 9, 2007 |
| Reg. Ent. Reference No. | RN100524099 | | | | |
| 4 | Public Water Supply | | | | |
| Enf. Coordinator | , | | | | |
| Violation Number | 1 | | | · · · · · · · · · · · · · · · · · · · | - |
| Rule Cite(s) | | 30 Tex. Admin. Code § 2 | 90.44(h) | | - |
| Violation Description | assembly tester, on protection. Specifically, assemblies in the pas | annual inspection, tested by all backflow prevention ass the City did not conduct tes st 12 months and were not r g a backflow prevention dev program. | emblies used for health ha ting on known backflow pr naintaining an updated list | zard evention of all | |
| | | | Base | Penalty 9 | \$1,000 |
| >> Environmental, Property a | and Human Health M | atrix . | | | |
| | Harm | | graphy army fold figures from a florest his description for a color description of the color des | | |
| Release | | Minor | | | |
| OR Actual | | | Percent 50% | | . |
| Potential | <u> </u> | | reicent 50% | | - |
| >>Programmatic Matrix | | | | | 1 |
| Falsification | Major Moderate | Minor | 2.13 | | İ |
| | | | Percent 0% | | |
| | | | | | İ |
| Matrix Notes Failure to ha | ve backflow assemblies to er supply to pollutants whi | ested, ensuring their functio ch would exceed levels that | nality, could expose the cu are protective of human h | stomers ealth. | |
| | | | Adjustment | \$500 | |
| The state of the s | V (ст. п.) и денева и и верона об основного ред на начина на верона об основного до основного до основного под | andres and the set of | | | * 500 |
| | | | | | \$500 |
| Violation Events | | | | | |
| | | | | | |
| Number of Vid | olation Events 1 | 365 | Number of violation days | 3 | |
| mark only one with an x | daily monthly quarterly semiannual annual single event | | Violation Base | Penalty | \$500 |
| | One | annual event recommended | i. | | |
| Economic Benefit (EB) for th | • | | Statutory Limit Tes | | 00 |
| Estimated | d EB Amount | \$5,479 | Violation Final Pena | ity Total | \$655 |
| · | · | This violation Final Asse | ssed Penalty (adjusted fo | or limits) | \$655 |
| | | | | | |

| | E | conomic I | 3enefit W | orks | sheet | | |
|--|-----------------------------|-----------------------------------|---|-------------|---|----------------------------------|---|
| Respondent | City of Laredo | inghidus elabatri. 5 | | | in a make a count has a local and a man it is a | * 200 | g Same Same Assessed |
| Case ID No. | | | | | | | |
| Rea. Ent. Reference No. | RN100524099 | | | | | | |
| - 100 Bart - 100 - | Public Water S | tunnly . | | | | | Years of |
| Violation No. | | ~~~, | | | | Percent Interest | Depreciation |
| violation no. | | nastatikovitat. | er et danskrij | HATTEN | | 5.0 | 15 |
| | Item Cost | Date Required | Final Date | Yrs | lutarant Cauad | Onetime Costs | EB Amount |
| | 나는 열 강화가 되어왔다. | Date Required | rillai Date | 118 | interest Saveu | - Onethie Costs | EB Allioutil |
| Item Description | No commas or \$ | | | | | Programme, and a | Volvinski i i i i i i i i i i i i i i i i i i |
| matematikan normali aliku aliku aliku n | 56 500 156 FOREIT 2000 1200 | ergget (Antanies (bil) hansenten. | - 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | gegeen sang | retricess estent son son la | symple and the | in the desire the section of |
| Delayed Costs | | | 4. 1 . F W 4. 486 | 1 | | | |
| Equipment | | | | 0.0 | \$0 \$0 | \$0 \$0 | \$0 \$0 |
| Buildings | | | | 0.0 | \$0 | \$0 | \$0 \$0 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction Land | | | | 0.0 | \$0 | n/a | \$0 |
| Record Keeping System | | | | 0.0 | \$0 | n/a | \$0 |
| Training/Sampling | | | | 0.0 | \$0 | n/a | \$0 |
| Remediation/Disposal | | | | 0.0 | \$0 | n/a | \$0 |
| Permit Costs | | | | 0.0 | \$0 | n/a | \$0 |
| Other (as needed) | * 1 7 4.0 | | | 0.0 | \$0 | n/a - | \$0 |
| , | 1. (4.5%) | | | | | | |
| Notes for DELAYED costs Avoided Costs | ANN | - | | | sociated with this | violation. one-time avoided o | osts) |
| Avoided Costs Disposal | S. S. S. S. S. ANN | DALIZE [1] avoide | u costs before e | 0.0 | \$0 | \$0 | \$0 |
| Personnel | | | | 0.0 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling | | | | 0.0 | \$0 | \$0 | \$0 |
| Supplies/equipment | | | | 0.0 | \$0 | \$0 | \$0 |
| Financial Assurance [2] | 1 100 | | | 0.0 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3] | \$5.000 | 11-Jan-2006 | 11-Jan-2007 | 1.9 | \$479 | \$5,000 | \$5,479 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |
| Notes for AVOIDED costs | Estimated cos | t to conduct annual | | | v assembly device stigation. | s calculated for the | year prior to the |
| Approx. Cost of Compliance | | \$5,000 | | | TOTAL | . . | \$5,479 |

| Screening Date | 5-Mar-2007 | Dock | et No. 2007-0441-MLM-E | PCW |
|--------------------------------|--|--|--|--|
| Respondent | | 7. 7. 7. 7. 7. 7. 7. 7. 7. 7. 7. 7. 7. 7 | | Policy Revision 2 (September 200 |
| Case ID No. | 32938 | | | PCW Revision January 9, 20 |
| Reg. Ent. Reference No. | RN100524099 | | | |
| Media [Statute] | Public Water Supply | • | | |
| Enf. Coordinator | Thomas Barnett | • | | |
| Violation Number | 2 | | | |
| Rule Cite(s) | | 30 Tex. Admin. Code | § 290.46(f)(4)(A) | |
| Violation Description | to determine com Specifically, the City | pliance with the requirem did not provide the numbe | n the distribution system which is ents of 30 Tex. Admin. Code Ch. er of metered and unmetered con which is required for the Commis tem requirements. | 290. nections |
| | | | Base | Penalty \$1,00 |
| >> Environmental, Property a | nd Human Health | Matrix | | • |
| | Hari | | and the second s | |
| OR Actual | Major Moder | rate Minor | | • |
| Potential | | * ************************************ | Percent 0% | |
| >>Programmatic Matrix | | | | |
| Falsification | Major Modei | rate Minor | restituti feritati ile ilu. Anthonya il mitali materi | |
| | x | | Percent 25% | |
| Matrix Notes | 1009 | % of the rule requirement | is not met. | |
| | | | Adjustment | \$750 |
| , | | | | \$25 |
| | | | | |
| Violation Events | | | | The second of th |
| Number of Vio | ation Events 1 | | Number of violation days | s |
| mark only one with an x | daily monthly quarterly semiannual annual single event x | | Violation Base | Penalty \$25 |
| | O | ne single event is recomn | nended. | |
| Economic Benefit (EB) for this | s violation | | Statutory Limit Tes | |
| Estimated | EB Amount | \$28 | Violation Final Pena | ilty Total \$32 |
| | | This violation Final | Assessed Penalty (adjusted fo | or limits) \$32 |
| | | | | |

| Reg. Ent. Reference No. Media Violation No. | Public Water S | upply | | | | Percent Interest | Years of Depreciation |
|--|---------------------------|---------------|----------------------|---|--|---|--|
| | | | | | | . 5.0 | 1. |
| | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
| Item Description | No commas or \$ | | | | | | And the state of t |
| Delayed Costs | ander Gebeurg bestelte | | | aritan Karaba A | | THE PERMITS | variation in the second |
| Equipment | | | | 0.0 | \$0 | \$0 | \$0 |
| Buildings | | 1.0 | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | \$500 | 11-Jan-2007 | 31-Oct-2007 | 0.8 | \$1 | \$27 | \$28 |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | \$0 |
| Land | | | | 0,0 | \$0 | n/a: | \$0 |
| Record Keeping System | | | | 0.0 | \$0 | , v n/a i | \$0 |
| | | | 7.7 | 0.0 | \$0 | la n/a la | \$0 |
| Training/Sampling | | | | | | | |
| Remediation/Disposal | | | | 0.0 | \$0 | erie in/a i a | \$0 |
| Remediation/Disposal Permit Costs | | | | 0.0 | \$0 \$0 | menen/a | \$0 \$0 |
| Remediation/Disposal | The estimated | | | 0.0 0.0 0.0 | \$0 \$0 \$0 tions for the system | m. The date require | \$0 \$0 \$0 |
| Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs | , | the investiga | tion and the final o | 0.0 0.0 0.0 connectate is the | \$0 \$0 \$0 tions for the systeme estimated date | m. The date require of compliance. | \$0 \$0 \$0 so d is the date o |
| Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal | , | the investiga | tion and the final o | 0.0 0.0 0.0 connectate is the | \$0 \$0 \$0 tions for the syste e estimated date item (except for \$0 | m. The date require of compliance. | \$0 \$0 \$0 d is the date o |
| Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel | , | the investiga | tion and the final o | 0.0 0.0 0.0 connectate is the open connectate is the open connectate is the open connectate is the open connectate is the open connectate is the open connectate is the open connectate is the open connectate in the open connectate is the open connectate in the open connectate is the open connectate in the open connectate in the open connectate is the open connectate in the open connectate in the open connectate is the open connectate in the open connectate | \$0 \$0 \$0 tions for the syste e estimated date item (except for \$0 \$0 | m. The date require of compliance. | \$0 \$0 \$0 \$0 ad is the date o |
| Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling | , | the investiga | tion and the final o | 0.0 0.0 0.0 connectate is the state of the s | \$0 \$0 \$0 tions for the systeme estimated date item (except for \$0 \$0 | m. The date require of compliance. one-time avoided c \$0 \$0 \$0 | \$0 \$0 \$0 so ad is the date o osts) \$0 \$0 |
| Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment | , | the investiga | tion and the final o | 0.0 0.0 0.0 connect late is the ntering 0.0 0.0 0.0 | \$0 \$0 \$0 tions for the systele estimated date item (except for \$0 \$0 | m. The date require of compliance. one-time avoided c \$0 \$0 \$0 \$0 \$0 | \$0 \$0 \$0 ad is the date o |
| Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] | , | the investiga | tion and the final o | 0.0 0.0 0.0 connect late is the mtering 0.0 0.0 0.0 0.0 | \$0 \$0 \$0 tions for the syste e estimated date item (except for \$0 \$0 \$0 | m. The date require of compliance. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | \$0 \$0 \$0 ad is the date o |
| Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] | , | the investiga | tion and the final o | 0.0 0.0 0.0 connectate is the state of the s | \$0 \$0 \$0 tions for the systeme estimated date item (except for \$0 \$0 \$0 \$0 \$0 | m. The date require of compliance. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$ | \$0 \$0 \$0 so d is the date o osts) \$0 \$0 \$0 \$0 \$0 |
| Remediation/Disposal Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] | , | the investiga | tion and the final o | 0.0 0.0 0.0 connect late is the mtering 0.0 0.0 0.0 0.0 | \$0 \$0 \$0 tions for the syste e estimated date item (except for \$0 \$0 \$0 | m. The date require of compliance. one-time avoided c \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | \$0 \$0 \$0 ad is the date of so \$0 \$0 \$0 \$0 |

| Screening D | ate 5-Mar-2007 | Doo | ket No. 2007-0441-MLM-E | PCW |
|----------------------------------|--|---|--|------------------------------------|
| Responde | ent City of Laredo | | | Policy Revision 2 (September 2002) |
| Case ID ! | No. 32938 | | | PCW Revision January 9, 2007 |
| Reg. Ent. Reference I | No. RN100524099 | | | |
| Media [Statu | te] Public Water Supply | | | |
| Enf. Coordina | tor Thomas Barnett | • | | |
| Violation Num | ber 3 | | | |
| Rule Cit | e(s) | 30 Tex. Admin. C | ode § 290.42(e) | |
| Violation Descript | separate rooms wit | th impervious walls or t from the chlorine fac | monia equipment in separate build partitions separating all mechanica ilities. Specifically, the gas chloring chemical buildings without any for sure. | l and e and |
| | | | Base | Penalty \$1,000 |
| >> Environmental, Proper | ty and Human Health | Matrix | | |
| | Harm | | | |
| Rele OR Ac | | te Minor | | |
| Poter | tual x | | Percent 50% | |
| 1 0.61 | Tuai X | | 1 creent | |
| >>Programmatic Matrix | | | | · |
| _ Falsificat | ion Major Modera | te Minor | UNLIBER CHIN VOLONIAME | |
| | | | Percent 0% | |
| | | | | |
| Matrix Notes Failu neighbo | re to protect the gas chlorin ors of the water system to th | ation and ammonia ed ese chemicals, which human health. | quipment could expose employees would exceed levels that are protect | and ctive of |
| | | | Adjustment | \$500 |
| | and the second of the second o | Control St. a. Martin Control St. St. St. St. | Aujustitienti | |
| | | | | \$500 |
| Violation Events | | | | |
| Number o | Violation Events 2 | | 54 Number of violation days | 3 |
| mark only o with an x | The state of the s | | Violation Base | Penalty \$1,000 |
| | 2007, to the | nded, calculated from date of case screening | | |
| Economic Benefit (EB) for | this violation | Tanada a Baraga a Landa a Santa | Statutory Limit Tes | |
| Estim | ated EB Amount | \$124 | Violation Final Pena | ity Total \$1,310 |
| | h | | | |
| | | This violation Fin | al Assessed Penalty (adjusted fo | or limits) \$1,310 |

| | E | conomic l | Benefit W | orks | sheet | | |
|--|--------------------|--|---|--|---|--|--|
| Respondent | City of Laredo | | | | | American State Constitution of the | ." A 1911 |
| Case ID No. | | | | | | | |
| Reg. Ent. Reference No. | | | | | | | |
| しがん 一点 悪もらに たいしゅうけい アルバカバード・フェート | | | | | | ar y 1800a yan 1804 a | Years of |
| 선생님 한 사람들 경기로 나면서 없는 그들 때 나는 사람들이 되었다. 한 그 얼마나는 나를 다 | Public Water S | uppiy | | | | Percent Interest | Depreciation |
| Violation No. | 3 | verse i cer retacet Actional cot | 988 1.096805 - 38 3 | | The series of the server of the series | Section in which is not an | Debieciation |
| 경찰 잃었다. 심장 그 중요는 그 | | | | and the | | 5.0 | 15 |
| | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
| Item Description | No commas or \$ | | | | | | |
| Paulity Spänialinin anni 1989 en Schalanna et um traver de Messer et | 110 001111100,01 4 | ernen en er en er en er en er en er en er en er en er en er en er en er en er en er en er en er en er en er en | Antipleate in the right | | al a 1 Million de la Colonia Bashim Alexandi | Mindelina de la composició de la composi | 5 - 10 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - |
| Delayed Costs | 1 1951 | | | | 35474457788 | | State of the |
| Equipment | | 1 | 20.000000000000000000000000000000000000 | 0.0 | \$0 | \$0 | \$0 |
| Buildings | \$2,000 | 11-Jan-2007 | 30-Nov-2007 | 0.9 | \$6 | \$118 | \$124 |
| Other (as needed) | Ψ2,000 | 11-0011-2007 | | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | \$0 |
| Land | | | | 0.0 | \$0 | n/a | \$0 |
| Record Keeping System | | | | 0.0 | \$0 | ict = In/ali | \$0 |
| Training/Sampling | | | | 0.0 | \$0 | na disen/a | \$0 |
| Remediation/Disposal | | | | 0.0 | \$0 | in/a | \$0 |
| Permit Costs | | | | 0.0 | \$0 | Marken/a | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | man/an/an/an/an/an/an/an/an/an/an/an/an/a | \$0 |
| | | de de la companya de la companya de la companya de la companya de la companya de la companya de la companya de | | | 9 + 4 0 | | |
| Notes for DELAYED costs | | investigatio | on and the final da | I ammo te is the | nia equipment. The estimated date of | e date required is the compliance. | ne date of the |
| Notes for DELAYED costs Avoided Costs | | investigatio | on and the final da | I ammo te is the | nia equipment. The estimated date of | e date required is the compliance. | ne date of the |
| | | investigatio | on and the final da | ammo te is the | nia equipment. The estimated date of item (except for \$0 | ne date required is the compliance. | ne date of the |
| Avoided Costs Disposal Personnel | | investigatio | on and the final da | ammo te is the other of the oth | nia equipment. The estimated date of item (except for \$0 \$0 | ne date required is the compliance. | costs) \$0 |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling | | investigatio | on and the final da | ammo te is the ntering 0.0 0.0 0.0 | nia equipment. The estimated date of item (except for \$0 \$0 \$0 | e date required is the compilance. one-time avoided of \$0 \$0 \$0 | costs) \$0 \$0 \$0 |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment | | investigatio | on and the final da | 0.0 0.0 0.0 0.0 | nia equipment. The estimated date of item (except for \$0 \$0 \$0 \$0 \$0 | e date required is the compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] | | investigatio | on and the final da | 1 ammo te is the 0.0 0.0 0.0 0.0 | item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 | compilance. cone-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 | costs) \$0 \$0 \$0 \$0 \$0 |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] | | investigatio | on and the final da | 1 ammo te is the 0.0 0.0 0.0 0.0 0.0 | nia equipment. The estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | compilance. compilance. come-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] | | investigatio | on and the final da | 1 ammo te is the 0.0 0.0 0.0 0.0 | item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 | compilance. cone-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 | costs) \$0 \$0 \$0 \$0 \$0 \$0 |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] | | investigatio | on and the final da | 0.0 0.0 0.0 0.0 0.0 0.0 0.0 | nia equipment. The estimated date of item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | e date required is the compilance. compilance. so so so so so so so so so so so so so s | sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 |

• '

| Scre | eening Date | 5-Mar-2007 | | D | ocket No. 2007-044 | 1-MLM-E | | PCW |
|------------------|--|--|--|--|--|--|--------------------------------|----------------------------|
| | Respondent | |) | | | F | Policy Re | evision 2 (September 2002) |
| | Case ID No. | 32938 | | | | | PCV | V Revision January 9, 2007 |
| Reg. Ent. Re | ference No. | RN100524099 | 9 | | | | | |
| Med | dia [Statute] | Public Water | Supply | • | | | | |
| Enf. (| Coordinator | Thomas Barn | ett | | | | | |
| Viol | lation Number | 4 | | | | | | |
| | Rule Cite(s) | | | 30 Tex. Admin | . Code § 290.46(s) | | | |
| Violati o | on Description | effectivene accuracy of least once ev the City failed | ss of any che f manual disir ery 30 days u d to conduct o | mical treatment nfectant residual using chlorine so alibration on the leters, nor were | ment or some other me process used by the s I analyzers in the chlor olutions of known conce to benchtop turbidimete there any records of s conducted. | system or to verify ine residual test ki entrations. Specifi ers, online turbidim | the t at cally, eters | |
| | | | | | | Base Pe | nalty[| \$1,000 |
| >> Environmenta | Property a | nd Human | Health Mat | rix | | | | |
| | A management of the second second second second second second second second second second second second second | | Harm | | ego energia en en en en en en en en en en en en en | A Commission of the Commission | | - |
| OR | Release Actual | Major | Moderate | Minor | | | | |
| | Potential | | X | | Percent | 25% | | |
| | , 515,,,,,,,, | | | | | | | |
| >>Programmatic | Matrix | | | | | | | |
| | Falsification | Major | Moderate | Minor | | | | |
| | | | | | Percent | 0% | | |
| Matrix Notes | Failure to ca treatment of | alibrate the ma water and pot | entially expos | ant residual and the public to rotective of hun | alyzer could result in in pollutants which would nan health. | nproper disinfection not exceed levels | n or that | |
| | 11.00 | | | | Adjustmen | ii | \$750 | 1 |
| | | | | | | | ſ | \$250 |
| | | | | • | | | | |
| Violation Events | and the second s | | | | | | | |
| | Number of Vio | lation Events | 1 | | 54 Number of | of violation days | | |
| | | | | : := | | | | |
| | | daily | | | | | | |
| | | monthly | | | , | | | \$250 |
| • | mark only one with an x | quarterly | X | | ` | Violation Base Pe | naity | ֆ ∠ᢒ∪ |
| | WILL OU Y | semiannual annual | | | | | | |
| | | single event | | | | | | |
| | | | | i | | | | |
| | One quarterly | event is reco | | | ne date of the investiga g, March 6, 2007. | ition, January 11, 2 | 2007, | |
| Economic Benefi | t (EB) for thi | s violation | XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX | | Statuto | ry Limit Test | | |
| | Estimated | I EB Amount[| | \$8 | Violat | ion Final Penalty | Total | \$327 |
| | Latinated | D / mount | | | | | | |
| | ruseustas 1 km² | | | This violation | Final Assessed Penal | ty (adjusted for li | mits) | \$327 |

| | E | conomic | Benefit W | orks | sheet | | |
|--|----------------|--|---------------------|-----------|---|--|--|
| Respondent | City of Laredo | iligal platella a sala sustali essenhelistico e les alibes e | on selection | | The attended his to the control of the Alberta Control of the | and the second of the second o | to the first had an autobiolistic lade |
| Case ID No. | | | | | | | |
| Reg. Ent. Reference No. | RN100524099 | | | | | | |
| | Public Water S | Sunnly | | | | [27] MARINA MARI | Years of |
| Violation No. | | чаррі) | | | | Percent Interest | Depreciation |
| | | | | 1.5 | | 5.0 | 15 |
| | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
| Item Description | | | | | | | |
| FEET STATE OF ITEM DESCRIPTION | No commas or a | Alban SiMi Desimit EVA | ili Alberta | 21 1 NOVE | erá "álleztákilő, álmák | Likanasan (Pe Pere | PARA PENDUTAN |
| Delayed Costs | | | \$504 D | (347) | | | |
| Equipment | | 1 | | 0.0 | \$0 | \$0 | \$0 |
| Buildings | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | \$0 |
| Land | | | | 0.0 | \$0 | n/a | \$0 |
| Record Keeping System | | | | 0.0 | \$0 | n/a | \$0 |
| Training/Sampling | \$200 | 11-Jan-2007 | 31-Oct-2007 | 0.8 | \$8 | n/a | \$8 |
| Remediation/Disposal | | | | 0.0 | \$0 | arsas n/au. | \$0 |
| Permit Costs | | | | 0.0 | \$0 | *****n/a: | \$0 |
| Other (as needed) | | Maria. | | 0.0 | \$0 | in/a | \$0 |
| Notes for DELAYED costs Avoided Costs Disposal | | investigatio | on and the final da | te is the | estimated date of | one-time avoided o | costs) |
| Personnel | | 777 | | 0.0 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling | | | | 0.0 | \$0 | \$0 | \$0 |
| Supplies/equipment | | | | 0.0 | \$0 | \$0 | \$0 |
| Financial Assurance [2] | | | | 0.0 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3] | | | | 0.0 | \$0 | \$0 | \$0 |
| | | | | | | | 0.0 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) Notes for AVOIDED costs | | There | were no avoided o | ,, | sociated with this v | | \$0 |

| Screening Dat | e 5-Mar-2007 | Docket No. 2007-0441-MLM-E | PCW |
|--|--|--|---|
| Responden | it City of Laredo | : | Policy Revision 2 (September 2002) |
| Case ID No |). 32938 | • | PCW Revision January 9, 2007 |
| Reg. Ent. Reference No | | | |
| <u>₩</u> | Public Water Supply | | |
| Enf. Coordinato | · i ——————————————————————————————————— | • | |
| Violation Number | | | |
| Rule Cite(s | 5) | 30 Tex. Admin. Code § 290.46(d)(2) | |
| Violation Descriptio | mg/L throughout the investigation, the fo system; 0.09 mg/L at elevated storage tal ground storage tank (" | ninimum free chlorine residual of 0.2 mg/L or total chlore distribution system at all times. Specifically, on the da lowing free chlorine levels were measured within the dis 141 Cardinal, 0.05 mg/L at 3101 Spring Creek and at the k, 0.03 mg/L at 1504 Lane Street, 0.04 mg/L at the Lar GST") pump, 0.08 mg/L at 205 Coronado, 0.10 mg/L from the 0.19 mg/L from the Older the Highway 359 | te of the stribution ne Del Mar ga Vista om the inlet |
| | | Ba | se Penalty \$1,000 |
| >> Environmental, Property | and Human Health | Matrix | |
| | Harn | | |
| Releas | | ate Minor | |
| OR Actual Potentia | | Percent 25% | |
| Control Control | | Total 20% | |
| >>Programmatic Matrix | | | *************************************** |
| Falsification | n Major Modera | | |
| | | Percent 0% | |
| | | | |
| | | oughout the distribution system could result in custome minants that would not exceed levels protective of hum | |
| | | Adjustment | \$750 |
| <u>European (Company) (Compa</u> | <u> Tara Bartillata, Siripida (S. Alambert M.), regista (S. Alaman, Alambert Para San Alambert San</u> | aran 1995 in the section of the sect | |
| | | , | \$250 |
| Violation Events | | | |
| Number of V | iolation Events 1 | 54 Number of violation da | ays |
| | daily | · · · · · · · · · · · · · · · · · · · | |
| mark only one with an x | monthly quarterly semiannual | Violation Ba | se Penalty \$250 |
| | annual single event x | | |
| One single | event is recommended | based on the low chlorine levels on the date of the inve | stigation. |
| Economic Benefit (EB) for t | nis violation | Statutory Limit: Te | est |
| Estimate | ed EB Amount | \$1,000 Violation Final Per | nalty Total \$327 |
| | | 1 | |
| | | This violation Final Assessed Penalty (adjusted | for limits) \$327 |

| Depreciation S.0 10 10 10 10 10 10 10 | Section No. 5 Section Sectio | Depreciation |
|---|--|-----------------------------|
| Percent Interest | Media Public Water Supply | Depreciation |
| Percent Interest | Notes for DELAYED costs | Depreciation |
| Percent Interest | Item Cost Date Required Final Date Yrs Interest Saved Solution Costs | Depreciation |
| 1 | Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs | 1: |
| | Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs | |
| | Delayed Costs | EB Amount |
| 0.0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Delayed Costs Equipment | |
| 0.0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Delayed Costs Equipment | and the control of the |
| 0.0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Equipment Buildings | and the second second |
| 0.0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Equipment Buildings | FERNATUR. |
| 0.0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Buildings | \$0 |
| 0.0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Engineering/construction | |
| 0.0 | Engineering/construction | \$0 |
| 0.0 | Land | \$0 |
| 0.0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Training/Sampling | \$0 |
| 0.0 | Notes for DELAYED costs | \$0 |
| 0.0 | Notes for DELAYED costs | \$0 |
| | Notes for DELAYED costs | |
| There were no delayed costs associated with this violation. IZE [1] avoided costs before entering item (except for one-time avoided costs) 0.0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Notes for DELAYED costs There were no delayed costs associated with this violation. Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] There were no delayed costs associated with this violation. There were no delayed costs associated with this violation. 10.0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | |
| | Avoided Costs | \$0 |
| 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 | Disposa | |
| 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 | Personnel | |
| 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 | Inspection/Reporting/Sampling | |
| 0.0 \$0 \$0 \$0 0.0 \$0 \$0 \$0 | Supplies/equipment 0.0 | |
| 0.0 \$0 \$0 | Financial Assurance [2] 0.0 \$0 \$0 | |
| | , mental, reductive [1] | |
| | | \$1,000 |
| | | |
| 0.0 \$ | | 0 \$0 0 \$0 0 \$1,000 |

| Screening Date | 5-Mar-2007 | | Docket No. 2007-0441-MLM-E | PCW |
|--|--|-------------------------|---|--|
| Respondent | City of Laredo | | | Policy Revision 2 (September 2002) |
| Case ID No. | | | | PCW Revision January 9, 2007 |
| Reg. Ent. Reference No. | | | | |
| | Public Water Supply | | | |
| Enf. Coordinator | | | | |
| Violation Number | <u> </u> | | | |
| Rule Cite(s) | | 30 Tex. Admin | . Code § 290.46(m)(4) | |
| Violation Description | Specifically, the inves | stigator noted a | related appurtenances in a watertight significant leak at the lower plant and lead Hendricks pump stations. | condition. eaking |
| | | | Base | Penalty \$1,000 |
| >> Environmental, Property a | and Human Health N | latrix | | |
| | Harm | | | |
| OR Release | | e Minor | 1 | |
| Potential | | | Percent 25% | |
| No. 13 Abstract Line 19 | | | i | |
| >>Programmatic Matrix | | | | |
| Falsification | Major Moderate | e Minor | 7 | |
| | | | Percent 0% | |
| Matrix Notes exposed to | a significant amount of co | ntaminants which | idition, customers of the water supply of h would not exceed levels that are profesh. Adjustment | ective of \$750 |
| | | | • | \$250 |
| | The control of the co | | | Becoming and the company of the comp |
| Violation Events | | <u> 1967 (208)</u> | | |
| | 3 | . 1 | 54 Number of violation day | · · |
| | | | 1 34 Number of Violation day | |
| *************************************** | daily⊴ | . 1 | | |
| | monthly | | | |
| mark only one | quarterly x | | Violation Base | Penalty \$750 |
| with an x | semiannual | | | |
| | annual single event | - | | |
| | angle event | | | |
| | | | | £ 45 - |
| | | | ommended, calculated from the date o e of case screening, March 6, 2007. | i the |
| " | Jougadon, January 11, | | | |
| Economic Benefit (EB) for th | is violation | | Statutory Limit Tes | SC |
| Estimate | d EB Amount | \$56 | Violation Final Pen | alty Total . \$982 |
| | <u> </u> | | | |
| | | This violation | n Final Assessed Penalty (adjusted f | or limits) \$982 |
| | المتعالية المتعالية والمتعالية وا | TEXTERNAL SUCCESSION OF | | |

| | | * | | | | | |
|---|--------------------------------|--|--|---|---|--|--|
| | • | | | | | | |
| | | | | | | | |
| | E | conomic | Benefit W | orks | sheet | | 493 L |
| Respondent | t City of Laredo | and the second s | artelat Jack 1895 - 1 | | of a Control of the second second second | Radinales Aractell . car 5 and 75 | en status |
| Case ID No | | | | | | | |
| Reg. Ent. Reference No | | | | | | | |
| | a Public Water Si | upply | | | | Barrant Internet | Years of |
| Violation No | | | | | | Percent Interest | Depreciation |
| | | | | | | 5.0 | 15 |
| | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
| Item Description | | | | | | | |
| item Description | No commas or 3 | . Wit Chindle dilahi | | | - in Machelland in | | Auto-du du de |
| Delayed Costs | | | PERENCULA . | | 2 1 2 5 2 5 2 5 2 5 2 5 2 5 2 5 2 5 2 5 | amentana kalendari di Salahara di Salahara ka Mananga kalendari da Salahara di Salahara | Selfer . |
| Delayed Costs Equipment | 5 | 1 | THE THE STATE OF A | 0.0 | \$0 | I so I | \$0 |
| Buildings | | | · · · · · · · · · · · · · · · · · · · | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction | \$1,000 | 11-Jan-2007 | 31-Oct-2007 | 0.8 | \$3 | \$54 | \$56 |
| Land | | 1000 | Page 1 | 0.0 | \$0 | n/avi Avia | \$0 |
| Record Keeping System | | | | 0.0 | \$0 | - n/and- | \$0 |
| Training/Sampling | | | | 0.0 | \$0 | n/azata | \$0 |
| Remediation/Disposal | | | | 0.0 | \$0 | | \$0 \$0 |
| Permit Costs | ļ | | | 0.0 | \$0 | n/a n/a | |
| | | | | חח וו | l en | PROPERTY OF THE PROPERTY OF TH | ደብ ነ |
| Other (as needed) | <u> </u> | | | 0.0 | \$0 | n/a • • • • • • • • • • • • • • • • • • • | \$0 |
| , | The estimated | cost to repair the l | eaks at the lower p | olant, an | d the leaking pum | ps at the Milmo and | Hendrick pump |
| Other (as needed) | The estimated stations so that | cost to repair the little they are in a water | er-tight condition. | olant, an The date | d the leaking pum e required is the d | | Hendrick pump |
| , | The estimated stations so that | cost to repair the f t they are in a wate | er-tight condition. | olant, an The date | d the leaking pum | ps at the Milmo and | Hendrick pump |
| Notes for DELAYED costs | stations so that | t they are in a wate | er-tight condition. date is the estin | olant, an The date nated da | d the leaking pum e required is the d te of compliance. | ps at the Milmo and ate of the investigati | Hendrick pump on and the final |
| Notes for DELAYED costs Ayolded Costs | stations so that | t they are in a wate | er-tight condition. date is the estin | plant, an The date nated da ntering | d the leaking pume required is the date of compliance. item (except for | ps at the Milmo and ate of the investigati one-time avoided o | Hendrick pump on and the final costs) |
| Notes for DELAYED costs | stations so that | t they are in a wate | er-tight condition. date is the estin | olant, an The date nated da | d the leaking pum e required is the d te of compliance. | ps at the Milmo and ate of the investigati | Hendrick pump on and the final |
| Notes for DELAYED costs Avoided Costs Disposal | stations so that | t they are in a wate | er-tight condition. date is the estin | olant, an The date nated da ntering 0.0 | d the leaking pume required is the date of compliance. item (except for \$0 | ps at the Milmo and ate of the investigati one-time avoided o | Hendrick pump on and the final costs) |
| Notes for DELAYED costs Avoided Costs Disposal Personnel | stations so that | t they are in a wate | er-tight condition. date is the estin | olant, an The date nated da ntering 0.0 0.0 0.0 | d the leaking pum e required is the d te of compliance. item (except for \$0 \$0 \$0 \$0 | ps at the Milmo and ate of the investigatione-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 | Hendrick pump on and the final costs) \$0 \$0 \$0 \$0 |
| Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling | stations so that | t they are in a wate | er-tight condition. date is the estin | olant, an The date nated da ntering 0.0 0.0 0.0 0.0 | d the leaking pum e required is the d te of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 | ps at the Milmo and ate of the investigation one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Hendrick pump on and the final costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 |
| Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] | stations so that | t they are in a wate | er-tight condition. date is the estin | olant, an The date nated da ntering 0.0 0.0 0.0 0.0 0.0 | d the leaking pum e required is the d te of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | ps at the Milmo and ate of the investigation one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Hendrick pump on and the final sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 |
| Notes for DELAYED costs Avoided Costs Disposal Personal Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] | stations so that | t they are in a wate | er-tight condition. date is the estin | olant, an The date nated da ntering 0.0 0.0 0.0 0.0 | d the leaking pum e required is the d te of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 | ps at the Milmo and ate of the investigation one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Hendrick pump on and the final costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 |
| Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] | stations so that | t they are in a wate | er-tight condition. date is the estin | olant, an The date nated da ntering 0.0 0.0 0.0 0.0 0.0 | d the leaking pum e required is the d te of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | ps at the Milmo and ate of the investigation one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Hendrick pump on and the final sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 |
| Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | stations so that | t they are in a water | er-tight condition. date is the estined costs before e | olant, an The date nated date natering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0. | d the leaking pum e required is the d te of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | ps at the Milmo and ate of the investigation one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Hendrick pump on and the final sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 |
| Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] | stations so that | t they are in a water | er-tight condition. date is the estin | olant, an The date nated date natering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0. | d the leaking pum e required is the d te of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | ps at the Milmo and ate of the investigation one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Hendrick pump on and the final sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 |
| Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | stations so that | t they are in a water | er-tight condition. date is the estined costs before e | olant, an The date nated date natering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0. | d the leaking pum e required is the d te of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | ps at the Milmo and ate of the investigation one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Hendrick pump on and the final sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 |
| Avoided Costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | stations so that | t they are in a water | er-tight condition. date is the estined costs before e | olant, an The date nated date natering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0. | d the leaking pum e required is the d te of compliance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | ps at the Milmo and ate of the investigation one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | Hendrick pump on and the final sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 |

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| Screeni | ing Date 5-Mar-2007 | Docket No. | . 2007-0441-MLM-E | PCW |
|--|--|---|---|--|
| Resp | pondent City of Laredo | | Po | licy Revision 2 (September 2002) |
| Cas | e ID No. 32938 | | | PCW Revision January 9, 2007 |
| Reg. Ent. Refere | nce No. RN100524099 | | | |
| Media [| Statute] Public Water Supply | | | |
| | rdinator Thomas Barnett | | | • |
| Violation | n Number 7 | | | |
| Ru | ıle Cite(s) | 30 Tex. Admin. Code § 290. | 111(c)(2) | |
| | | | | |
| Violation De | escription Specifically, the filter calculations of the C | monitor the turbidity of the corturbidity results for the lower place. FE Monthly Operating Reports ters was incorrectly placed dow | ant filters were not included in t and the monitoring point for th | |
| | • | | Base Pen | alty \$1,000 |
| | | Matrix | | |
| >> Environmental, Pr | roperty and Human Health Harm | | | |
| | Release Major Modera | | | |
| OR | Actual | | | |
| | Potential x | | Percent 25% | |
| | | | | • |
| >>Programmatic Mat | rix | | | |
| Fa Fa | Ilsification Major Modera | te Minor | | • |
| | | | Percent 0% | |
| | | | 10/01/10 | |
| Matrix Notes ma | alfunctioning filters resulting in cus of pollutants which would not exce | bidity levels of the filters could tomers of the water supply beir ed levels that are protective of ptors as a result of the violation | ng exposed to significant amou human health or environmenta | unts al |
| ************************************** | | | Adjustment \$ | 5750 |
| | , | | | \$250 |
| Violation Events | | | | TO A COMMON TO A C |
| The state of the s | mber of Violation Events 2 | 54 | Number of violation days | A CONTROL OF THE PARTY OF THE P |
| Nun | Tibel of Violation Events 2 | | Transport reparent and | |
| | daily | | 4 | |
| | monthly | | | |
| ma | ark only one quarterly x | | Violation Base Pen | nalty \$500 |
| , | with an x semiannual | | | |
| | annual | | | |
| | single event | <u></u> | | |
| | | | 1 1 1 1 1 5 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | |
| | Two quarterly events are recomme investigation, January 11 | , 2007, to the date of case scre | ening, March 6, 2007. | le . |
| Economic Benefit (El | B) for this violation | | Statutory Limit Test | |
| | Estimated EB Amount | \$8] | Violation Final Penalty T | otal \$655 |
| | | | • | |
| | | This violation Final Asses | ssed Penalty (adjusted for lin | nits) \$655 |

| Reg. Ent. Reference No Media Violation No | Public Water St | nbbla | | | | Percent Interest | Years of Depreciation |
|---|-----------------|-------------------|----------------------|---|---|--|--|
| | | | | 77 140 (97) | | 5.0 | 15 |
| | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
| Item Description | No commas or \$ | | | 1. 1993 Sep | | | |
| Delayed Costs | . | | | | | NSKREMENALS. | |
| Equipment | | 4 1 | | 0.0 | \$0 | \$0 | \$0 |
| Buildings | | | - | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | 1 | | | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | \$0 |
| Land | | | | 0.0 | \$0 | ila ila n/a | \$0 |
| Record Keeping System | \$200 | 11-Jan-2007 | 31-Oct-2007 | 0.8 | \$8 | w n/a | \$8 |
| Training/Sampling | | | | 0.0 | \$0 | n/a | \$0 |
| Remediation/Disposal | | | | 0.0 | \$0 | was win/a | \$0 |
| Permit Costs | | | | 0.0 | \$0 | i n/a | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | n/a | \$0 |
| Other (as needed) Notes for DELAYED costs | | | d is the date of the | ect moni investig | toring of the turbic pation and the fina | dity of the combined I date is the estimat | filter effluent at |
| Notes for DELAYED costs | the plant. | The date required | d is the date of the | ect moni investig | toring of the turbic pation and the fina ce. | dity of the combined I date is the estimat | filter effluent at ed date of |
| Notes for DELAYED costs Avoided Costs | the plant. | The date required | d is the date of the | ect moni investig complian | toring of the turbio pation and the fina ce. item (except for | dity of the combined I date is the estimat one-time avoided o | filter effluent at ed date of costs) |
| Notes for DELAYED costs Avoided Costs Disposal | the plant. | The date required | d is the date of the | ect moni e investig complian ntering | toring of the turbic pation and the fina ce. item (except for \$0 | ity of the combined I date is the estimat one-time avoided o | filter effluent at ed date of costs) |
| Notes for DELAYED costs Avoided Costs Disposal Personnel | the plant. | The date required | d is the date of the | ect moni e investige compliantering 0.0 0.0 | toring of the turbic pation and the finance. item (except for \$0 \$0 | dity of the combined of the co | filter effluent at ed date of costs) \$0 \$0 |
| Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling | the plant. | The date required | d is the date of the | ect moni e investig complian ntering 0.0 0.0 0.0 | toring of the turbic pation and the fina ce. item (except for \$0 \$0 | dity of the combined I date is the estimat one-time avoided o \$0 \$0 \$0 | filter effluent at ed date of so \$0 \$0 \$0 |
| Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment | the plant. | The date required | d is the date of the | ect moni e investig complian ntering 0.0 0.0 0.0 0.0 | toring of the turbic pation and the fina ce. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | dity of the combined I date is the estimat one-time avoided \$0 \$0 \$0 \$0 \$0 \$0 | filter effluent at ed date of SO SO SO SO SO SO SO SO SO SO SO SO SO |
| Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] | the plant. | The date required | d is the date of the | ect moni e investig complian ntering 0.0 0.0 0.0 | toring of the turbic pation and the fina ce. item (except for \$0 \$0 | dity of the combined I date is the estimat one-time avoided o \$0 \$0 \$0 | filter effluent at ed date of costs) \$0 \$0 |
| Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment | the plant. | The date required | d is the date of the | ect moni e investig complian ntering 0.0 0.0 0.0 0.0 0.0 | toring of the turbic pation and the final ce. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | dity of the combined I date is the estimat one-time avoided or \$0 \$0 \$0 \$0 \$0 \$0 \$0 | filter effluent at ed date of SO SO SO SO SO SO SO SO SO SO SO SO SO |
| Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] | the plant. | The date required | d is the date of the | ect monia investig compliano mtering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0. | toring of the turbic pation and the finance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | dity of the combined I date is the estimat one-time avoided one-time avoid | filter effluent at ed date of Costs) SO SO SO SO SO SO SO SO SO SO |

| Screeni | ng Date 5-Mar-2007 | Docket No. 2 | 2007-0441-MLM-E | PGW |
|--|--|--|--|--|
| Resp | ondent City of Laredo | | Policy | Revision 2 (September 2002) |
| Cas | e ID No. 32938 | | Pi | CW Revision January 9, 2007 |
| Reg. Ent. Refere | nce No. RN100524099 | | | |
| Media I | Statute] Public Water Supply | | | |
|) 14 - 7 | rdinator Thomas Barnett | | | |
| | Number 8 | | | |
| | le Cite(s) | | 44.340 | ╗ |
| | | 30 Tex. Admin. Code § 290.11 | 1(c)(3) | |
| Violation De | scription Specifically, the I | onitor the fitered water turbidity of th FE turbidity value was recorded only nber 1, 2006 instead of every 15 min | once per hour beginning on | |
| | | | Base Penalt | y \$1,000 |
| >> Environmental Pr | operty and Human Healtl | n Matrix | | |
| | Hai | | And the second s | |
| | Release Major Mode | | | |
| OR | Actual | | | |
| | Potential x | F | Percent 25% | |
| | | | | |
| >>Programmatic Mat | | | | |
| Fai | sification Major Mode | | Percent 0% | |
| | | | -ercent | |
| Matrix Notes | | en as required could result in expos would not exceed levels protective o | | |
| and the second second second second second second second second second second second second second second second | | | Justinent, w/ 50 | 2 |
| ٠ | | | | \$250 |
| Violation Events | | | | |
| _enganaciosseppontaine are about send and another first from the last self-till to are the self- | | | | 1.5 |
| Nun | ber of Violation Events | | lumber of violation days | |
| | daily | | | |
| | wonly one quarterly x semiannual annual single event | | Violation Base Penalt | \$500 |
| | 2007, to t | nended, calculated from the date of ne date of case screening, March 6, | , 2007. | |
| Economic Benefit (El | 3) for this violation | S | Statutory Limit Test | personal per |
| | Estimated EB Amount | \$9 | Violation Final Penalty Tota | \$655 |
| | | | | |
| | | This violation Final Assesse | d Penalty (adjusted for limits | \$655 |

| Media | RN100524099 Public Water S | vlaau | | | | | Years of |
|---|-------------------------------|---------------|-------------|--|--|---|-----------------------------------|
| Violation No. | | -65-3 | | | | Percent Interest | Depreciation |
| | | | | | | 5.0 | 15 |
| 그 그는 남편 됐 살아나는 하 | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
| Item Description | No commas or \$ | | | | | | |
| Delayed Costs | | | | | | | |
| Equipment | | | | 0.0 | \$0 | \$0 | \$0 |
| Buildings | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | | | - 1, -1 1 | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | \$0 |
| Land | | | | 0.0 | \$0 | " I n/at. | \$0 |
| Record Keeping System | \$200 | 1-Dec-2006 | 31-Oct-2007 | 0.9 | \$9 | n/a | \$9 |
| Training/Sampling | | | | 0.0 | \$0 | n/a | \$0 |
| Remediation/Disposal | | | | 0.0 | \$0 | and a n/an | \$0 |
| Permit Costs | | | | 0.0 | \$0 | n/a . | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | n/a | \$0 |
| | | | | | | | |
| Notes for DELAYED costs | | | | of compl | iance. | · · · | , |
| Avoided Costs | | | date | of compl ntering i | iance. tem (except for | one-time avoided c | osts) |
| Avoided Costs Disposal | | | date | of compl | iance. tem (except for \$0 | one-time avoided c | osts) |
| Avoided Costs Disposal Personnel | | | date | of compl | tem (except for \$0 \$0 | one-time avoided c | osts) \$0 \$0 |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling | | | date | of complete of com | iance. tem (except for \$0 \$0 \$0 \$0 | one-time avoided c | osts) \$0 \$0 \$0 |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment | | | date | of complete ntering i 0.0 0.0 0.0 0.0 0.0 0.0 | iance. tem (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | one-time avoided c \$0 \$0 \$0 \$0 | osts) \$0 \$0 \$0 \$0 |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] | | | date | ntering i 0.0 0.0 0.0 0.0 0.0 0.0 | iance. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | one-time avoided c \$0 \$0 \$0 \$0 \$0 | osts) |
| Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment | | | date | of complete ntering i 0.0 0.0 0.0 0.0 0.0 0.0 | iance. tem (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | one-time avoided c \$0 \$0 \$0 \$0 | osts) \$0 \$0 \$0 \$0 |

| Screening D | ate 5-Mar-2007 | Do | cket No. 2007-0441-M | LM-E | PGW |
|--|--|--|-------------------------------------|------------------------------------|---------------------------|
| Respond | ent City of Laredo | | • | Policy Res | vision 2 (September 2002) |
| Case ID | No. 32938 | | | PCW | Revision January 9, 2007 |
| Reg. Ent. Reference | No. RN100524099 | | | | |
| Media [Stat | ute] Public Water Supr | oly | | | |
| Enf. Coordina | ator Thomas Barnett | | • | | |
| Violation Nur | nber 9 | | | | |
| Rule Ci | te(s) | 30 Tex. Admin. C | ode § 290.121(a) | | |
| Violation Descrip | Failed to mai stion Specifically, | ntain an up-to-date chemi the monitoring plan did no monitoring | cal and microbiological m | onitoring plan. of the coliform | |
| | | | | Base Penalty | \$1,000 |
| OR ⁴ A | ease Major Mo | lth Matrix larm oderate Minor oderate Minor x coderate Minor x coderate Minor | Percent Percent rement was not met. | 0% | |
| | The second secon | | Adjustment | \$990 | |
| | | | • | | \$10 |
| 24 on Visitiva in American Management of the Control of the Contro | EFFERNMENT CONTROL CON | | | | |
| Violation Events | and the second s | A COMMENT OF THE COME | | | |
| Number o | of Violation Events | 1 | 54 Number of vic | olation days | |
| mark only with an | CARTE 1812 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | × | Viola | ntion Base Penalty | \$10 |
| | | One single event was rec | ommended. | | |
| Economic Benefit (EB) fo | r this violation | | Statutory L | imit Test | |
| Estin | nated EB Amount | \$8 | Violation I | Final Penalty Total | \$13 |
| | | | | | 640 |
| | | inis violation Fi | nal Assessed Penalty (a | iajustea for ilmits) | \$13 |

| 경기 위에 가는 사람들이 살아 있다. | 27 6 5 37 44 | conomic | | J.110 | | | 1 1 1 TATE OF THE |
|--|-----------------|------------------------|--|--|---|--|---|
| Respondent | • | | | | | • | |
| Case ID No. | | | | | | | |
| Reg. Ent. Reference No. | | | | | • | | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |
| | Public Water S | upply | • | | | Percent Interest | Years of |
| Violation No. | 9 | | | | | | Depreciation |
| | | | | | | 5.0 | 15 |
| | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amount |
| Item Description | No common or \$ | | | | | | |
| tem Description | NO Commas or \$ | ALCOHOLIDA BARRANTA NO | ad distance to the con- | | - 11% SUNGABARAN | | eard to National environmen |
| Delayed Costs_ | , state | | nyas eri mynes yesani. Amusiya katelesi sasi sasi | | | | Water, vite |
| Delayed Costs Equipment | 727 44-31 | 1 | 3,40, 243,356,443,53, 4,444,53 | 0.0 | l \$0 | \$0 I | \$0 |
| Buildings | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | · | | 1.27 | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | \$0 |
| Land | | | | 0.0 | \$0 | Varien/a | \$0 |
| Record Keeping System | \$200 | 11-Jan-2007 | 31-Oct-2007 | 0.8 | \$8 | a sa n/a | \$8 |
| Training/Sampling | ΨΕΟΟ | 11.0411.2001 | 01 000 2007 | 0.0 | \$0 | la de la la la la la la la la la la la la la | \$0 |
| Limitand County III | | | | | | | |
| Remediation/Disposal | | | | II 0.0 I | 1 80 - | ligation n/a | 20 |
| Remediation/Disposal | | | | 0.0 | \$0 \$0 | n/a n/a | \$0 \$0 |
| Permit Costs Other (as needed) | | | | 0.0 0.0 nat the c | \$0 \$0 hemical and micro | biological plan are | \$0 \$0 updated when |
| Permit Costs | | | ired is the date of | 0.0 0.0 nat the c | \$0 \$0 hemical and micro stigation and the f | i anden/a por ≃n/a | \$0 \$0 updated when |
| Permit Costs Other (as needed) Notes for DELAYED costs | changes occ | cur. The date requ | ired is the date of c | 0.0 0.0 nat the cithe investigation | \$0 \$0 hemical and micro stigation and the f ce. | biological plan are inal date is the estin | \$0 \$0 updated when nated date of |
| Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS | changes occ | cur. The date requ | ired is the date of c | 0.0 0.0 nat the classification of the inverse ompliance of the inverse ompliance of the inverse ompliance of the inverse ompliance of the inverse of the inv | \$0 \$0 hemical and micro stigation and the f ce. | biological plan are inal date is the estin | \$0 \$0 updated when nated date of |
| Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal | changes occ | cur. The date requ | ired is the date of c | 0.0 0.0 nat the cithe inversion ompliantering 0.0 | \$0 \$0 hemical and micro stigation and the f ce. | obiological plan are inal date is the estinone-time avoided c | \$0 \$0 updated when nated date of |
| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel | changes occ | cur. The date requ | ired is the date of c | 0.0 0.0 nat the compliance ompliance on the inverse on the inverse ompliance on the inverse of the inverse on t | \$0 \$0 hemical and micro stigation and the f ce. item (except for \$0 \$0 | biological plan are inal date is the estin | \$0 \$0 updated when nated date of |
| Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling | changes occ | cur. The date requ | ired is the date of c | 0.0 0.0 nat the cithe inversion ompliantering 0.0 | \$0 \$0 hemical and micro stigation and the f ce. | obiological plan are inal date is the estinone-time avoided company to the street of t | \$0 \$0 updated when nated date of |
| Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment | changes occ | cur. The date requ | ired is the date of c | 0.0 0.0 nat the compliance of the inversion of the invers | \$0 \$0 hemical and micro stigation and the f ce. item (except for \$0 \$0 | biological plan are inal date is the estin | \$0 \$0 updated when nated date of costs) \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] | changes occ | cur. The date requ | ired is the date of c | 0.0 0.0 nat the control investor ompliantering 0.0 0.0 0.0 0.0 | \$0 \$0 hemical and micro stigation and the f ce. item (except for \$0 \$0 \$0 | biological plan are inal date is the estinone-time avoided company of the state of | \$0 \$0 updated when nated date of costs) \$0 \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment | changes occ | cur. The date requ | ired is the date of c | 0.0 0.0 nat the class the inverse ompliant of the inverse ompliant of the inverse ompliant of the inverse ompliant of the inverse ompliant of the inverse ompliant of the inverse ompliant of the inverse | \$0 \$0 hemical and micro stigation and the f ce. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 | biological plan are inal date is the estin | \$0 \$0 updated when nated date of sosts) \$0 \$0 \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] | changes occ | UALIZE [1] avoide | ired is the date of c | nat the cithe inverse ompliane on tering 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0. | \$0 \$0 hemical and micro stigation and the f ce. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | biological plan are inal date is the estin | \$0 \$0 updated when nated date of \$0 \$0 \$0 \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | changes occ | UALIZE [1] avoide | ired is the date of c | 0.0 0.0 nat the control of the inverse ompliantering 0.0 0.0 0.0 0.0 0.0 | \$0 \$0 hemical and micro stigation and the f ce. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | biological plan are inal date is the estin | \$0 \$0 updated when nated date of \$0 \$0 \$0 \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] | changes occ | UALIZE [1] avoide | ired is the date of c | 0.0 0.0 nat the control of the inverse ompliantering 0.0 0.0 0.0 0.0 0.0 | \$0 \$0 hemical and micro stigation and the f ce. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | biological plan are inal date is the estin | \$0 \$0 updated when nated date of \$0 \$0 \$0 \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | changes occ | UALIZE [1] avoide | ired is the date of c | 0.0 0.0 nat the control of the inverse ompliantering 0.0 0.0 0.0 0.0 0.0 | \$0 \$0 hemical and micro stigation and the f ce. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | biological plan are inal date is the estin | \$0 \$0 updated when nated date of \$0 \$0 \$0 \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | changes occ | UALIZE [1] avoide | ired is the date of c | 0.0 0.0 nat the control of the inverse ompliantering 0.0 0.0 0.0 0.0 0.0 | \$0 \$0 hemical and micro stigation and the f ce. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | biological plan are inal date is the estin | \$0 \$0 updated when nated date of \$0 \$0 \$0 \$0 \$0 |
| Permit Costs Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) | changes occ | UALIZE [1] avoide | ired is the date of c | 0.0 0.0 nat the control of the inverse ompliantering 0.0 0.0 0.0 0.0 0.0 | \$0 \$0 hemical and micro stigation and the f ce. item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 | biological plan are inal date is the estin | \$0 \$0 updated when nated date of \$0 \$0 \$0 \$0 \$0 |

| Policy Revision 2 (Sep | - | Calculation | n Works | sheet (P | • | January 9, 2007 |
|--|--|--|--------------------|---------------------------------|------------------------------|-----------------|
| TCEQ | tember 2002) | | · | | 1 OV Nevision | oundary 0, 2007 |
| DATES Assigned PCW | | g 6-Mar-2007 | EPA Due | | | |
| RESPONDENT/FACILITY | | | Silver III | | | |
| | City of Laredo | | | | | |
| Reg. Ent. Ref. No. Facility/Site Region | | | Major/ | Minor Source | Major | |
| | | | | | | |
| CASE INFORMATION Enf./Case ID No. | 32038 | | No | of Violations | 11 | |
| Docket No. | 2007-0441-MLM-E | | INO. | Order Type | | - |
| | Public Water Utilities | | Enf | . Coordinator | Anita Keese | |
| Multi-Media | | | \$500 | EC's Team | EnforcementTeam 2 | |
| Admin. Penalty \$ I | Limit Minimum \$0 | Maximum | \$500 | | | |
| | Pena | alty Calcula | tion Sec | tion | | |
| TOTAL DACE DENAL | AND THE RESERVE THE PARTY OF TH | maga ng gamanagan mananagan na | again a ra | | | ¢425 |
| TOTAL BASE PENAL | TY (Sum of violation | base penaitie | S) | | Subtotal 1 | \$125 |
| | ned by multiplying the Total Base F | enalty (Subtotal 1) by | the indicated per | | | |
| Compliance Histo | ory | 22% | Enhancement | Subt | otals 2, 3, & 7 | \$27 |
| Notes | The penalty enhancement (NOVs) containing violation curre | | nilar to the vio | | • | |
| Culpability | No | 0% | Enhancement | | Subtotal 4 | \$0 |
| Notes | The Respondent of | loes not meet the | culpability cr | iteria. | | |
| Good Faith Effor | Same validate in a contract to the contract to | 0% | Reduction | 1 | Subtotal 5 | . \$0 |
| Extraordinary | Before NOV NOV to EDP | RP/Settlement Offer | | | | |
| Ordinary | | .7 | | | | |
| N/A | X (mark with x) | | , | | 1 | |
| Notes | The Respondent o | loes not meet the | good faith cr | iteria. | | |
| | | 0% | Enhancement* | | Subtotal 6 | \$0 |
| Approx. | Total EB Amounts \$44 Cost of Compliance \$1,000 | and a service framework and a surface before the contract of the service of the first territory. | at the Total EB \$ | S Amount | | ···· |
| SUM OF SUBTOTAL: | S 1-7 | | | J | Final Subtotal | \$152 |
| OTHER FACTORS AS | S JUSTICE MAY REQI | JIRE | | | Adjustment | \$0 |
| | ubtotal by the indicated percentage | | e.g30 for -30% | 6.) | 1 | |
| Notes | | | | | | |
| | s it. | Service Annual Control | | Cinal Da |] | \$152 |
| • | | | | rinai Pei | nalty Amount | Φ132 |
| STATUTORY LIMIT A | DJUSTMENT | | | Final Asse | ssed Penalty | \$152 |
| DEFERRAL | | | 0% | Reduction | Adjustment | \$0 |
| | alty by the indicted percentage. <i>(E</i> | nter number only; e.g. | 12.20 | Santa Sana Sana | Adjustment | φυ |
| Notes | | commended for I | | | | |
| | January Communication of the contractors | guide, est property, est page con a de la constante de la cons | SASSA KITI JAWAS | en entreggangsenzet er einzert. | eran ereken ereken ereken er | |
| PAYABLE PENALTY | | | | | | \$152 |

Docket No. 2007-0441-MLM-E

PCW

Policy Revision 2 (September 2002) PCW Revision January 9, 2007

Respondent City of Laredo

Case ID No. 32938

Reg. Ent. Reference No. RN100524099

Media [Statute] Public Water Utilities Enf. Coordinator Anita Keese

| Compliance History Workshee | Com | pliance | History | Workshee |
|-----------------------------|-----|---------|---------|----------|
|-----------------------------|-----|---------|---------|----------|

| in the current enforcement action | n 0 | 0% |
|--|---|--|
| nial of liability (number of order. | 11 | |
| nial of liability (number of order | | 22% |
| | s 0 | 0% |
| nforcement orders without a denia overnment, or any final prohibitor | | 0% |
| crees containing a denial of liabilit ments or consent decrees meeting | | 0% |
| ents, or non-adjudicated final could collity, of this state or the federa | | 0% |
| ment (number of counts) | 0 | 0% |
| | 0 | 0% |
| audit conducted under the Texa '4th Legislature, 1995 <i>(number o</i> | | 0% |
| Health, and Safety Audit Privileg plations were disclosed) | e 0 | 0% |
| Pie | ase Enter Yes or No | |
| or more | No | 0% |
| by the executive director under | a No | 0% |
| | No · | 0% |
| uture state or federal governmer | nt No | 0% |
| Adjustment | Percentage (St | ubtotal 2) |
| | | |
| Adjustment i | Percentage (Sเ | ubtotal 3) |
| | | |
| Adjustment i | Percentage (Si | ubtotal 7) 🔼 |
| | | |
| | plations that are | |
| | | _ |
| | of Violations (NOVs) containing vio current enforcement action. | of Violations (NOVs) containing violations that are current enforcement action. Total Adjustment Percentage (Subtotals 2) |

| Scre | eening Date | 6-Mar-2007 | | Docket No | . 2007-0441-MLM-E | PCW |
|--|---|--|--|---|--|--|
| l de la companya de l | Respondent | City of Laredo | | | | Policy Revision 2 (September 2002) |
| 4 A. M. China M. A. Waller, Phys. Rev. Lett. | Case ID No. | | | | | PCW Revision January 9, 2007 |
| Reg. Ent. Re | ference No. | RN100524099 | | | • | |
| Med | dia [Statute] | Public Water U | tilities | | • | |
| Enf. (| Coordinator | Anita Keese | | | | |
| Vio | lation Number | 1 | | | | |
| Viginia de la companya Rule Cite(s) | | | | | |
| of ferminan | rtaic Cito(c) | : | 30 Tex. A | Admin. Code § 2 | 91.93(3) | |
| Violatio | on Description | retail public service dema Specifically, the | utility, that has reach ands to the remaining | ed 85% of its ca g areas within the 9% of the capac | report that clearly explains pacity, will provide the exple boundaries of its certified ity for the system at the timad been submitted. | area. |
| | | | | | Base | Penalty \$500 |
| >> Environmenta | l, Property a | ind Human H | ealth Matrix | | | |
| | San San San San San San San San San San | Convey of a year to the first of the converse and him is convenience when the debug of the converse in the converse and the converse in the co | Harm | ang nga paga na matau ng tao ng 190 tao tao Panganan dhina ka ng kanganan ng kanganan ng kanganan ng kanganan | re commence a commence quantity (Artificial) de la plane (Artificial) d | |
| | Release | | Moderate Mino | or | | The state of the s |
| OR | Actual | | | | Percent 0% | |
| | Potential | | <u> </u> | | Percent 0% | The state of the s |
| >>Programmatic | Matrix | | | | | |
| | Falsification | Major | Moderate Mino |)r | | *************************************** |
| | , dioliteation | x I | Altin A di Gale | <u> </u> | Percent 25% | - |
| | <u> </u> | | | <u></u> | <u> </u> | |
| Matrix Notes | | | 100% of the rule requ | uirement was no | t met. | |
| | | | | | Adjustment | \$375 |
| | | | | | | \$125 |
| | | | | | | 120 |
| Violation Events | | | 医肾管炎 五种 | | | |
| | Number of Vic | olation Events | | 54 | Number of violation days | |
| ** | | | | 11 | <u> </u> | |
| | | daily | | | | |
| | mark only one with an x | monthly quarterly semiannual annual | | | Violation Base | Penalty \$125 |
| | | single event | X | | | |
| | | | | | | |
| | | a domini | One single event | is recommende | d | |
| Economic Benefi | t (EB) for th | is violation | | | Statutory Limit Tes | |
| | Estimat- | d EB Amount | | \$44 | Violation Final Penal | ty Total \$152 |
| | ⊏stimated | I ED AINOUNT | | Ψ-1-1 | Viviation Final Penal | (ty 10ta) 9102 |
| | | | This viola | tion Final Asses | ssed Penalty (adjusted fo | r limits) \$152 |
| backare many saveties. | | | | | | |

| Respondent Case ID No. | City of Laredo | conomic | Benefit W | /orks | sheet | | |
|--|-----------------|------------------|-------------------|-----------|---|---------------------------------------|----------------------|
| Reg. Ent. Reference No. | RN100524099 | | | | | | |
| [2] (1) (1) (2) (3) (3) (3) (4) (4) (4) (4) (4) (4) (4) (4) (4) (4 | Public Water U | Itilities | | | | Percent Interest | Years o Depreciat |
| Violation No. | . 1 | | 3.54 (5.5 | 1.045 | vakiniarininsi | MARKET OF S | Debieciat |
| | | | | | | 5.0 | |
| | Item Cost | Date Required | Final Date | Yrs | Interest Saved | Onetime Costs | EB Amou |
| Item Description | No commas or \$ | | | 11 1 1975 | | | |
| ADDATA | | | 9248 (1.71) | .e31 | A CONTRACTOR AND THE PROPERTY OF A CONTRACTOR | magana sampagan pinahur wa ku ka | |
| Delayed Costs | | | Details of the | | | Warney of the Species | |
| Equipment | | | | 0.0 | \$0 | \$0 | \$0 |
| Buildings | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | | | | 0.0 | \$0 | \$0 | \$0 |
| Engineering/construction | | | | 0.0 | \$0 | \$0 | \$0 \$0 |
| Land | | | ļ | 0.0 | \$0 \$0 | n/a | \$0 \$0 |
| Record Keeping System | | | | 0.0 | \$0 | n/a | \$0 |
| Training/Sampling | | | | 0.0 | \$0 | n/a | \$0 \$0 |
| Remediation/Disposal Permit Costs | \$1,000 | 11-Jan-2007 | 30-Nov-2007 | 0.9 | \$44 | n/a | \$44 |
| Other (as needed) | \$1,000 | 11-Jan-2001 | 30-1107-2007 | 0.0 | \$0 | n/a | \$0 |
| Notes for DELAYED costs | Estimated cos | | | | | r system. The date ate of compliance. | required is |
| Avoided Costs | ANN | UALIZE [1] avoid | ed costs before e | entering | item (except for | one-time avoided o | osts) |
| Disposal | | | | 0.0 | \$0 | \$0 | \$0 |
| Personnel | | | | 0.0 | \$0 | \$0 | \$0 |
| Inspection/Reporting/Sampling | | | | 0.0 | \$0 | \$0 | \$0 |
| Supplies/equipment | 2, 1, 3/9 | | | 0.0 | \$0 | \$0 | \$0 |
| Financial Assurance [2] | | | | 0.0 | \$0 | \$0 | \$0 |
| ONE-TIME avoided costs [3] | | | | 0.0 | \$0 | \$0 | \$0 |
| Other (as needed) | * . 5 | | <u>L </u> | 0.0 | \$0 | \$0 | \$0 |
| | | e (W.Y., far) | | | | | |
| Notes for AVOIDED costs | | | | , | | | |
| : | | | | | | 54 | |
| | | \$1,000 | • | | TOTAL | | |

.

Compliance History

| Customer/F | Respondent/ | Owner-Opera | tor: | CN600131908 | City of Laredo | | Classification: | AVERAGE | Rating: 1.79 |
|--|----------------|-----------------------------------|----------------------|------------------------|---|----------------------|-----------------|---------|--------------------|
| Regulated I | Entity: | | | RN100524099 | CITY OF LAREDO | WATER SYSTEM | Classification: | | Site Rating: |
| ID Number(s): | | | · . | PUBLIC WATER : | SYSTEM/SUPPLY | REGIS LICEN | TRATION SE . | | 2400001 2400001 |
| Location: | | | | | ST, LAREDO, TX, 78 | | | | |
| TCEQ Regi | on: | | | REGION 16 - LAR | EDO | | | | |
| Date Compliance History Prepared: | | | | February 28, 2007 | | | | · | |
| Agency Decision Requiring Compliance History: | | | nce History: | Enforcement | | | | | |
| Compliance Period: | | | | February 28, 2002 | to February 28, 2007 | | · | | |
| TCEQ Staff Member to Contact for Additional Inform | | | dditional Informa | tion Regarding this | Compliance History | | | | |
| Name: | Anita | a Keese | | Pho | one: (956) 430 | 0-6034 | | | |
| | | | | Site (| Compliance History | / Components | | | |
| 1. Has the s | site been in | existence and | or operation for | the full five year cor | mpliance period? | Yes | | | • |
| 2. Has there | e been a (kr | nown) change | in ownership of | the site during the co | ompliance period? | No | | , | |
| 3. If Yes, wi | ho is the cui | rent owner? | | | | N/A | | | _ |
| 4. if Yes, w | ho was/wer | e the prior ow | ner(s)? | | | N/A | | | _ |
| 5. When di | d the chang | e(s) in owners | ship occur? | | | N/A | | | _ |
| Compone | nts (Multir | nedia) for th | e Site : | • | | | - | | _ |
| • | • | • | | nts, and consent dec | crees of the state of Te | exas and the federal | l gövernment. | | |
| | N/A | | | · | • | | | | |
| | 14// (| | | | | | | | |
| В | Any crimina | I convictions o | of the state of Te | xas and the federal | government. | | | | |
| | N/A | | | | | | • | | |
| C. | Chronic exc | essive emissi | ons events. | | | | | | |
| | N/A | | | | | | | | |
| D | The approve | al dates of inve | estigations. (CC | EDS Inv. Track, No.) |) | | | | |
| | 1 08 | 3/16/2002 | (7442) | | | | | | |
| | | 3/21/2003 | (133842) | • | | | | | |
| | | 2/29/2003 | (257338) | | | | | | · |
| | | 1/30/2004 3/30/2004 | (261231) (274552) | | | | | | |
| | | 7/27/2005 | (401500) | | | | | | |
| | | 0/31/2005 | (433701) | | | | | | |
| | | 1/03/2006 | (450617) | | | | | | |
| | 9 03 | 3/27/2006 | (460731) | | | | | | • |
| | 10 05 | 5/25/2006 | (461811) | | | | | | |
| | | 0/17/2006 | (516269) | | | | | | |
| | 12 02 | 2/23/2007 | (541564) | | | | | | |
| E. ' | Written notic | ces of violatior | ns (NOV). (CCEI | OS inv. Track. No.) | | | | | |
| | Date | : 08/16/2002 | 2 (7442) | | | | | | |
| | Self | Report? N | 0 | | | Classification: | Moderate | | |
| | Citati Desc | ion: cription: | Failure to ope | | D 290.42(a) er treatment plant base the system's maximu | | city | | |
| | Date | : 08/21/2003 | | | • | - | | | |
| | Self | Report? N | 0 | | | Classification: | Moderate | | |
| | | ion: cription: : 12/18/2003 | Failure to con- | | D 290.46(j)[G] ce Inspections prior to | providing water se | rvice. | | |
| | | Report? N | | • | | Classification: | Minor | | |
| | Citat | - | | er 290, SubChapter | D 290.42(d)(6)(E)(ii)[| | | | |

CH-2

Description: Failure to provide secondary containment for all liquid chemical storage tanks. Self Report? NO Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.45(a) Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(2)(G) 5A THC Chapter 341, SubChapter A 341,0315(c) Failure to provide an elevated storage capacity of 111 gallons per connection or a Description: pressure tank capacity of 22.2 gallons per connection for each pressure plane. Self Report? Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.45(b)(2)(F) Citation: 5A THC Chapter 341, SubChapter A 341.0315(c) Failure to provide a service pump capacity that provides each pump station or Description: pressure plane with two or more pumps that have a total capacity of 2.0 gpm per connection or that have a total capacity of at least 1000 gpm and the ability to meet peak hourly demands with the largest pump out of service, whichever is less. Self Report? Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.46(j)[G] Citation: Failure to conduct Customer Service Inspections prior to providing water service. Description: NO Classification: Self Report? 30 TAC Chapter 290, SubChapter D 290.44(d)(2) Citation: Failure to acquire plan approval by the executive director for service connections Description: that require booster pumps taking suction from the public water system lines. Self Report? Classification: 30 TAC Chapter 290, SubChapter D 290.43(c)(4) Citation: Description: Failure to provide a water level indicator for the elevated tank at Del Mar. (274552)Date: 08/31/2004 Self Report? Classification: Minor Citation: 30 TAC Chapter 290, SubChapter D 290.42(d)(6)(E)(ii)[G] Failure to provide secondary containment for all liquid chemical storage tanks. Description: Classification: Self Report? Moderate 30 TAC Chapter 290, SubChapter D 290.45(a) Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(2)(G) 5A THC Chapter 341, SubChapter A 341.0315(c) Description: Failure to provide an elevated storage capacity of 111 gallons per connection or a pressure tank capacity of 22.2 gallons per connection for each pressure plane. Self Report? Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.45(b)(2)(F) 5A THC Chapter 341, SubChapter A 341.0315(c) Failure to provide a service pump capacity that provides each pump station or Description: pressure plane with two or more pumps that have a total capacity of 2.0 gpm per connection or that have a total capacity of at least 1000 gpm and the ability to meet peak hourly demands with the largest pump out of service, whichever is less. Self Report? Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.44(d)(2) Failure to acquire plan approval by the executive director for service connections Description: that require booster pumps taking suction from the public water system lines. Classification: Self Report? Minor Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(3) Failure to design overflows in strict accordance with current AWWA standards so Description: that the discharge opening of the overflow is above the surface of the ground and not be subject to submergence. Classification: Self Report? NO Moderate 30 TAC Chapter 290, SubChapter D 290.43(e) Citation: Failure to provide an intruder-resistant fence in order to protect all storage tanks. Description: Classification: Moderate Self Report? 30 TAC Chapter 290, SubChapter D 290.42(d)(5) Citation: 30 TAC Chapter 290, SubChapter D 290.45(a) Failure to provide a flow measuring device to measure the treated water Description: discharged from the plant. Date: 06/29/2005 (398125) Self Report? Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.46(r) Citation: Failure to maintain a minimum pressure of 35 psi throughout the distribution Description: system under normal operating conditions or 20 psi during emergencies. Date: 07/12/2005 (399831) Classification: Self Report? 30 TAC Chapter 290, SubChapter D 290.46(r) Citation:

Failure to maintain a minimum pressure of 35 psi throughout the distribution

Classification:

Major

system under normal operating conditions or 20 psi during emergencies.

Description:

Self Report?

Date: 07/13/2005

NO

(399893)

Citation:

30 TAC Chapter 290, SubChapter D 290.46(r)

Description:

Failure to maintain a minimum pressure of 35 psi throughout the distribution system under normal operating conditions or 20 psi during emergencies.

Date: 07/27/2005

(401500)

Self Report?

30 TAC Chapter 290, SubChapter D 290,45(a)

Citation:

30 TAC Chapter 290, SubChapter D 290.45(b)(2)(G)

Description:

5A THC Chapter 341, SubChapter A 341.0315(c) Failure to provide an elevated storage capacity of 111 gallons per connection or a

pressure tank capacity of 22.2 gallons per connection for each pressure plane. Classification: Moderate

Self Report? Citation:

NO

30 TAC Chapter 290, SubChapter D 290.45(b)(2)(F) 5A THC Chapter 341, SubChapter A 341.0315(c)

Description:

Failure to provide a service pump capacity that provides each pump station or pressure plane with two or more pumps that have a total capacity of 2.0 gpm per connection or that have a total capacity of at least 1000 gpm and the ability to meet peak hourly demands with the largest pump out of service, whichever is less. Classification:

Self Report?

30 TAC Chapter 290, SubChapter D 290.44(d)(2)

Citation: Description:

Failure to acquire plan approval by the executive director for service connections that require booster pumps taking suction from the public water system lines.

Self Report?

30 TAC Chapter 290, SubChapter D 290.43(c)(3)

Citation: Description:

Failure to design overflows in strict accordance with current AWWA standards so that the discharge opening of the overflow is above the surface of the ground and not be subject to submergence.

Self Report? NO Classification:

Classification:

Classification:

Classification:

Classification:

Classification:

Classification:

Moderate

Moderate

Minor

Moderate

Moderate

Citation:

Citation:

Description:

30 TAC Chapter 290, SubChapter D 290.42(d)(5) 30 TAC Chapter 290, SubChapter D 290.45(a)

Description:

Failure to provide a flow measuring device to measure the treated water

discharged from the plant.

Self Report? NO

30 TAC Chapter 290, SubChapter D 290.46(r)

Failure to maintain a minimum pressure of 35 psi throughout the distribution

system under normal operating conditions or 20 psi during emergencies.

NO Self Report?

Classification: Minor

Citation:

30 TAC Chapter 290, SubChapter D 290.46(m)

Description:

Failure to ensure the good working condition and general appearance of the system's facilities and equipment.

Self Report? Citation:

Description:

Citation:

30 TAC Chapter 290, SubChapter D 290.46(q)(1)

NO

30 TAC Chapter 290, SubChapter D 290.47(e) Failure to issue a boil water notification to the customers within 24 hours using the prescribed notification format as specified in 30 Tex. Admin. Code § 290.47(e).

NO Self Report?

30 TAC Chapter 290, SubChapter D 290.45(a) 30 TAC Chapter 290, SubChapter D 290.45(b)(2)(E)

5A THC Chapter 341, SubChapter A 341,0315(c)

Description:

Failure to provide a total storage capacity of 222 gallons per connection for each

pressure plane.

Date: 09/14/2005

(431454)

Self Report?

30 TAC Chapter 290, SubChapter D 290,46(r)

Description:

Failure to maintain a minimum pressure of 35 psi throughout the distribution

system under normal operating conditions or 20 psi during emergencies.

Date: 01/04/2006 Self Report?

Citation:

(450617)

30 TAC Chapter 290, SubChapter D 290.46(r)

Classification:

Moderate

Citation:

Description:

Failure to maintain a minimum pressure of 35 psi throughout the distribution system under normal operating conditions or 20 psi during emergencies.

Date: 05/26/2006

(461811)

Classification:

Moderate

Self Report? Citation:

30 TAC Chapter 290, SubChapter D 290.45(a) 30 TAC Chapter 290, SubChapter D 290.45(b)(2)(G) 5A THC Chapter 341, SubChapter A 341.0315(c)

Description:

Failure to provide an elevated storage capacity of 111 gallons per connection or a pressure tank capacity of 22.2 gallons per connection for each pressure plane.

NO Self Report?

Classification:

Moderate

Citation:

30 TAC Chapter 290, SubChapter D 290.45(b)(2)(F) 5A THC Chapter 341, SubChapter A 341.0315(c)

Description:

Failure to provide a service pump capacity that provides each pump station or

meet peak hourly demands with the largest pump out of service, whichever is less. Self Report? Classification: Citation: 30 TAC Chapter 290, SubChapter D 290.44(d)(2) Description: Failure to acquire plan approval by the executive director for service connections that require booster pumps taking suction from the public water system lines. Self Report? Classification: Citation: 30 TAC Chapter 290, SubChapter D 290.43(c)(3) Description: Failure to design overflows in strict accordance with current AWWA standards so that the discharge opening of the overflow is above the surface of the ground and not be subject to submergence. Self Report? Classification: Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.46(r) Failure to maintain a minimum pressure of 35 psi throughout the distribution Description: system under normal operating conditions or 20 psi during emergencies. Minor Self Report? 30 TAC Chapter 290, SubChapter D 290,46(m) Citation: Description: Failure to ensure the good working condition and general appearance of the system's facilities and equipment. NO Classification: Moderate Self Report? Citation: 30 TAC Chapter 290, SubChapter D 290.45(a) 30 TAC Chapter 290, SubChapter D 290.45(b)(2)(E) 5A THC Chapter 341, SubChapter A 341.0315(c) Description: Failure to provide a total storage capacity of 222 gallons per connection for each pressure plane. NO Classification: Minor Self Report? Citation: 30 TAC Chapter 290, SubChapter F 290.111(f)(2) Failure to accurately report the results of the individual filter effluent monitoring. Description: Self Report? Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.44(h)[G] Citation: Failure to conduct the annual testing of all backflow prevention assemblies in the Description: system. NO Classification: Self Report? Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.46(j)(1) Failure to provide an individual with the required certification to perform Customer Description: Service Inspections. Classification: Self Report? NO Minor Citation: 30 TAC Chapter 290, SubChapter D 290.42(m) Failure to provide an intruder-resistant fence around the water treatment plant. Description: Classification: Moderate Self Report? 30 TAC Chapter 290, SubChapter D 290.46(m)(1) Citation: Description: Failure to conduct annual inspections on all water storage tanks. Classification: Moderate Self Report? NO Citation: 30 TAC Chapter 290, SubChapter D 290.46(f)(4)(A) Failure to submit any additional documentation that the executive director may Description: require to determine compliance. Environmental audits. N/A Type of environmental management systems (EMSs).

pressure plane with two or more pumps that have a total capacity of 2.0 gpm per connection or that have a total capacity of at least 1000 gpm and the ability to

F.

G.

Voluntary on-site compliance assessment dates. H.

Participation in a voluntary pollution reduction program.

N/A

Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



| IN THE MATTER OF AN | § | BEFORE THE |
|--------------------------|---|-----------------------|
| ENFORCEMENT ACTION | § | |
| CONCERNING | § | TEXAS COMMISSION ON |
| CITY OF LAREDO; | § | |
| RN100524099, RN101608545 | § | ENVIRONMENTAL QUALITY |

AGREED ORDER DOCKET NO. 2007-0441-MLM-E

| At its | agenda, the Texas Commission on Environmental Quality |
|---------------------------------------|--|
| ("Commission" or "TCEQ") consid | lered this agreement of the parties, resolving an enforcement |
| action regarding the City of Laredo (| "the City") under the authority of Tex. HEALTH & SAFETY CODE |
| ch. 341; TEX. WATER CODE chs. 7, | 13, and 26; and 30 Tex. ADMIN. CODE chs. 290, 291, and 305. |
| The Executive Director of the TCEQ |), represented by the Litigation Division, and the City, presented |
| this agreement to the Commission. | |

The City understands that it has certain procedural rights at certain points in the enforcement process, including, but not limited to, the right to formal notice of violations, notice of an evidentiary hearing, the right to an evidentiary hearing, and a right to appeal. By entering into this Agreed Order, the City agrees to waive all notice and procedural rights.

It is further understood and agreed that this Agreed Order represents the complete and fully-integrated agreement of the parties. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable. The duties and responsibilities imposed by this Agreed Order are binding upon the City.

The Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

- 1. The City owns and operates a public water supply system located at 2519 Jefferson Street in Laredo, Webb County, Texas (the "PWS Facility") that has 61,481 service connections and serves at least 25 people per day for at least 60 days per year.
- 2. The City owns and operates, in Texas and for compensation, equipment or facilities for the transmission, storage, distribution, sale, or provision of potable water to the public or for the

- resale of potable water to the public for any use (the "Utility"). The City is not exempt from regulation under Tex. WATER CODE ch. 13 or the rules of the Commission.
- 3. The City owns and operates a wastewater treatment plant located at 2519 Jefferson Street in Laredo, Webb County, Texas (the "WQ Facility"). The City has discharged municipal waste into or adjacent to any water in the state or has committed another act that has caused or will cause pollution of any water in the state under the Texas Water Code.
- 4. During an investigation of the PWS Facility conducted on January 11, 2007, January 18, 2007, and January 19, 2007, a TCEQ Laredo Regional Office investigator documented that the City failed to conduct an annual inspection, tested by a certified backflow prevention assembly tester, on all backflow prevention assemblies used for health hazard protection. Specifically, the City did not conduct testing on known backflow prevention assemblies in the past 12 months and were not maintaining an updated list of all establishments requiring a backflow prevention device in its cross-connection control program.
- 5. During an investigation of the PWS Facility conducted on January 11, 2007, January 18, 2007, and January 19, 2007, a TCEQ Laredo Regional Office investigator documented that the City failed to provide the number of connections in the distribution system which is required to determine compliance with the requirements of 30 Tex. Admin. Code ch. 290. Specifically, the City did not provide the number of metered and unmetered connections in the distribution system per pressure plane which is required for the Commission to calculate minimum system requirements.
- 6. During an investigation of the PWS Facility conducted on January 11, 2007, January 18, 2007, and January 19, 2007, a TCEQ Laredo Regional Office investigator documented that the City failed to house all gas chlorination and ammonia equipment in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the chlorine facilities. Specifically, the gas chlorine and ammonia tanks were located outside the chemical buildings without any form of enclosure.
- 7. During an investigation of the PWS Facility conducted on January 11, 2007, January 18, 2007, and January 19, 2007, a TCEQ Laredo Regional Office investigator documented that the City failed to provide accurate testing equipment or some other means of monitoring the effectiveness of any chemical treatment process used by the system or to verify the accuracy of manual disinfectant residual analyzers in the chlorine residual test kit at least once every 30 days using chlorine solutions of known concentrations. Specifically, the City failed to conduct calibration on the benchtop turbidimeters, online turbidimeters and the online chlorine meters, nor were there any records of such calibration having been conducted.

- 8. During an investigation of the PWS Facility conducted on January 11, 2007, January 18, 2007, and January 19, 2007, a TCEQ Laredo Regional Office investigator documented that the City failed to maintain a minimum free chlorine residual of 0.2 milligrams per liter ("mg/L") or total chlorine of 0.5 mg/L throughout the distribution system at all times. Specifically, on the date of the investigation, the following free chlorine levels were measured within the distribution system: 0.09 mg/L at 141 Cardinal, 0.05 mg/L at 3101 Spring Creek and at the Del Mar elevated storage tank, 0.03 mg/L at 1504 Lane Street, 0.04 mg/L at the Larga Vista ground storage tank ("GST") pump, 0.08 mg/L at 205 Coronado, 0.10 mg/L from the inlet to Highway 359 GST and 0.19 mg/L from the outlet from the Highway 359 GST.
- 9. During an investigation of the PWS Facility conducted on January 11, 2007, January 18, 2007, and January 19, 2007, a TCEQ Laredo Regional Office investigator documented that the City failed to maintain all water facilities and related appurtenances in a watertight condition. Specifically, the investigator noted a significant leak at the lower plant and leaking pumps at the Milmo and Hendricks pump stations.
- 10. During an investigation of the PWS Facility conducted on January 11, 2007, January 18, 2007, and January 19, 2007, a TCEQ Laredo Regional Office investigator documented that the City failed to correctly monitor the turbidity of the combined filter effluent ("CFE"). Specifically, the filter turbidity results for the lower plant filters were not included in the calculations of the CFE Monthly Operating Reports and the monitoring point for the upper plant filters was incorrectly placed downstream of the clearwell.
- During an investigation of the PWS Facility conducted on January 11, 2007, January 18, 2007, and January 19, 2007, a TCEQ Laredo Regional Office investigator documented that the City failed to correctly monitor the filtered water turbidity of the individual filter effluent ("IFE"). Specifically, the IFE turbidity value was recorded only once per hour beginning on December 1, 2006 instead of every 15 minutes as required.
- 12. During an investigation of the PWS Facility conducted on January 11, 2007, January 18, 2007, and January 19, 2007, a TCEQ Laredo Regional Office investigator documented that the City failed to maintain an up-to-date chemical and microbiological monitoring plan. Specifically, the monitoring plan did not reflect a change in one of the coliform monitoring locations.
- During an investigation of the Utility conducted on January 11, 2007, January 18, 2007, and January 19, 2007, a TCEQ Laredo Regional Office investigator documented that the City failed to submit to the Executive Director a planning report that clearly explains how the retail public utility, that has reached 85% of its capacity, will provide the expected service demands to the remaining areas within the boundaries of its certified area.

- During an investigation of the WQ Facility conducted on January 11, 2007 and January 18, 2007, a TCEQ Laredo Regional Office investigator documented that the City failed to submit the annual sludge report to the Commission by the September 1, 2006 deadline.
- 15. The City received notice of enforcement regarding the violations in paragraphs 4 through 13 on or about February 26, 2007.
- 16. The City received notice of enforcement regarding the violation in paragraph 14 on or about February 7, 2007.

CONCLUSIONS OF LAW

- 1. As evidenced by Finding of Fact Nos. 1 through 3, the City is subject to the jurisdiction of the TCEQ pursuant to Tex. Health & Safety Code ch. 341 and Tex. Water Code chs. 7, 13, and 26 and the rules of the Commission.
- 2. As evidenced by Finding of Fact No. 4, the City failed to conduct an annual inspection, tested by a certified backflow prevention assembly tester, on all backflow prevention assemblies used for health hazard protection, in violation of 30 Tex. ADMIN. Code § 290.44(h).
- 3. As evidenced by Finding of Fact No. 5, the City failed to provide the number of connections in the distribution system which is required to determine compliance with the requirements of 30 Tex. ADMIN. CODE ch. 290, in violation of 30 Tex. ADMIN. CODE § 290.46(f)(4)(A).
- 4. As evidenced by Finding of Fact No. 6, the City failed to house all gas chlorination and ammonia equipment in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the chlorine facilities, in violation of 30 Tex. ADMIN. CODE § 290.42(e).
- 5. As evidenced by Finding of Fact No. 7, the City failed to provide accurate testing equipment or some other means of monitoring the effectiveness of any chemical treatment process used by the system or to verify the accuracy of manual disinfectant residual analyzers in the chlorine residual test kit at least once every 30 days using chlorine solutions of known concentrations, in violation of 30 Tex. ADMIN. CODE § 290.46(s).
- 6. As evidenced by Finding of Fact No. 8, the City failed to maintain a minimum free chlorine residual of 0.2 mg/L or total chlorine of 0.5 mg/L throughout the distribution system at all times, in violation of 30 Tex. ADMIN. CODE § 290.46(d)(2).

- 7. As evidenced by Finding of Fact No. 9, the City failed to maintain all water facilities and related appurtenances in a watertight condition, in violation of 30 Tex. ADMIN. CODE § 290.46(m)(4).
- 8. As evidenced by Finding of Fact No. 10, the City failed to correctly monitor the turbidity of the CFE, in violation of 30 Tex. ADMIN. CODE § 290.111(c)(2).
- 9. As evidenced by Finding of Fact No. 11, the City failed to correctly monitor the filtered water turbidity of the IFE, in violation of 30 Tex. ADMIN. CODE § 290.111(c)(3).
- 10. As evidenced by Finding of Fact No. 12, the City failed to maintain an up-to-update chemical and microbiological monitoring plan, in violation of 30 Tex. ADMIN. CODE § 290.121(a).
- As evidenced by Finding of Fact No. 13, the City failed to submit to the Executive Director a planning report that clearly explains how the retail public utility, that has reached 85% of its capacity, will provide the expected service demands to the remaining areas within the boundaries of its certified area, in violation of 30 Tex. ADMIN. CODE § 291.93(3).
- 12. As evidenced by Finding of Fact No. 14, the City failed to submit the annual sludge report to the Commission by September 1, 2006, in violation of 30 Tex. ADMIN. CODE § 305.125(1) and Texas Pollution Discharge Elimination System ("TPDES") Permit No. 10681-001 Sludge Provisions.
- 13. Pursuant to Tex. Water Code §§ 7.051 and 13.4151 and Tex. Health & Safety Code § 341.049, the Commission has the authority to assess an administrative penalty against the City for violations of the Texas Water Code, Texas Health & Safety Code, TCEQ rules, and orders adopted under the Code.
- 14. An administrative penalty in the amount of eight thousand thirty dollars (\$8,030.00) is justified by the facts recited in this Agreed Order, and considered in light of the factors set forth in Tex. Water Code §\$ 7.053 and 13.4151 and Tex. Health & Safety Code § 341.049(b). Eight thousand thirty dollars (\$8,030.00) of the administrative penalty shall be conditionally offset by the City's completion of a Supplemental Environmental Project ("SEP") as defined in Attachment A, incorporated herein by reference. The City's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.

ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The City is assessed an administrative penalty in the amount of eight thousand thirty dollars (\$8,030.00) as set forth in Conclusion of Law No. 14 for violations of Tex. WATER CODE chs. 7, 13 and 26, Tex. Health & Safety Code ch. 341, and the rules of the TCEQ. The payment of this administrative penalty and the City's compliance with all the terms and conditions set forth in this Agreed Order completely resolve the violations set forth by this Agreed Order in this action. However, the Commission shall not be constrained in any manner from requiring corrective actions or penalties for other violations that are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: City of Laredo, TCEQ Docket No. 2007-0441-MLM-E; Enforcement ID No. 32938" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. The City shall implement and complete a SEP in accordance with Tex. Water Code § 7.067 and as set forth in Conclusion of Law No. 14 above. Eight thousand thirty dollars (\$8,030.00) of the assessed administrative penalty shall be offset with the condition that the City implement and complete a SEP pursuant to the terms of the SEP as defined in Attachment A, incorporated herein by reference. The City's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
- 3. The City shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Agreed Order, the City shall:
 - i. Begin correctly monitoring the turbidity of the CFE, in accordance with 30 Tex. ADMIN. CODE § 290.111;
 - ii. Begin correctly monitoring the filtered water turbidity of the IFE, in accordance with 30 Tex. ADMIN. CODE § 290.111; and

- iii. Begin operating the water system's chlorination facilities to maintain a free chlorine residual of 0.2 mg/L throughout the distribution system at all times, in accordance with 30 Tex. ADMIN. CODE § 290.46.
- b. Within 30 days after the effective of this Agreed Order, the City shall:
 - i. Submit written certification as described in Ordering Provision No. 3.e. below, and include detailed supporting documentation including photographs, receipts, and/or other reports to demonstrate compliance with Ordering Provision Nos. 3.a.i., 3.a.ii., and 3.a.iii.;
 - ii. Update the chemical and microbiological monitoring plan so that it includes all locations where coliform monitoring is conducted, in accordance with 30 Tex. Admin. Code § 290.121;
 - iii. Calibrate and maintain records for the calibration of the benchtop turbidimeters, online turbidimeters, and online chlorine meters, in accordance with 30 Tex. Admin. Code § 290.46;
 - iv. Provide the number of connections in the distribution system to the Commission, in accordance with 30 Tex. ADMIN. CODE § 290.46; and
 - v. Repair the leaks at the lower plant and the pumps at the Milmo and Hendricks pump stations, in accordance with 30 Tex. ADMIN. CODE § 290.46.
 - vi. Submit the annual sludge report for the monitoring period ending July 31, 2006, in accordance with 30 Tex. ADMIN. CODE § 305.125(1) and TPDES Permit No. 10681-001 Sludge Provisions to:

Compliance Monitoring Team Enforcement Division, MC 224 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

- c. Within 60 days after the effective date of this Agreed Order, the City shall:
 - i. Submit written certification as described in Ordering Provision No. 3.e. below, and include detailed supporting documentation including photographs, receipts, and/or other reports to demonstrate compliance with Ordering Provision Nos. 3.b.ii., 3.b.iii., 3.b.iv., 3.b.v., and 3.b.vi.;

- ii. Update the cross-connection control program, test all backflow prevention assemblies and certify each to be operating within specifications, in accordance with 30 Tex. ADMIN. CODE § 290.44;
- iii. Contain all gas chlorination and ammonia equipment in separate buildings or separate rooms with impervious walls or partitions separating all mechanical and electrical equipment from the disinfection facilities, in accordance with 30 Tex. Admin. Code § 290.42; and
- iv. Submit a planning report that clearly explains how the retail public utility will provide the expected service demands to the remaining areas within the boundaries of its certified area, in accordance with 30 Tex. ADMIN. CODE § 291.93.
- d. Within 75 days after the effective date of this Agreed Order, the City shall submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other reports to demonstrate compliance with Ordering Provision Nos. 3.c.ii., 3.c.iii., and 3.c.iv.
- e. The certifications required by Ordering Provision Nos. 3.b.i, 3.c.i, and 3.d. shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certifications shall be submitted to:

Order Compliance Team
Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Rose Luna-Pirtle, Water Section Manager Laredo Regional Office Texas Commission on Environmental Quality 707 East Calton Road, Suite 304 Laredo, Texas 78041-3887

- 4. The provisions of this Agreed Order shall apply to and be binding upon the City. The City is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the operations of the facilities referenced in this Agreed Order.
- 5. If the City fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, the City's failure to comply is not a violation of this Agreed Order. The City has the burden of establishing to the Executive Director's satisfaction that such an event has occurred. The City shall notify the Executive Director within seven days after the City becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
- 6. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by the City shall be made in writing to the Executive Director. Extensions are not effective until the City receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 7. The Executive Director may refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings without notice to the City if the Executive Director determines that the City has not complied with one or more of the terms or conditions in this Agreed Order.
- 8. This Agreed Order shall terminate five years from its effective date or upon compliance with all terms and conditions set forth in this Agreed Order, whichever is later.
- 9. This Agreed Order, issued by the Commission, shall not be admissible against the City in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of the Tex. WATER CODE or the Tex. HEALTH & SAFETY CODE.
- 10. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be

City of Laredo TCEQ DOCKET NO. 2007-0441-MLM-E Page 10

transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.

11. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties. Pursuant to 30 Tex. Admin. Code § 70.10(b) and Tex. Gov't Code § 2001.142, the effective date is the date of hand-delivery of the Order to the City, or three days after the date on which the Commission mails notice of the Order to the City, whichever is earlier.

·City of Laredo TCEQ DOCKET NO. 2007-0441-MLM-E Page 11

City of Laredo

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

| For the Commission | |
|---|---|
| 46Breeron Verdue | 5/19/08 |
| For the Executive Director | Date |
| I, the undersigned, have read and understand the attact Laredo. I represent that I am authorized to agree to the of Laredo, and do agree to the specified terms and concin accepting payment for the penalty amount, is mater | e attached Agreed Order on behalf of the City ditions. I further acknowledge that the TCEQ, |
| I understand that by entering into this Agreed Order, rights, including, but not limited to, the right to formal Order, notice of an evidentiary hearing, the right to an agree to the terms of the Agreed Order in lieu of a constitutes full and final adjudication by the Commis Order. | notice of violations addressed by this Agreed evidentiary hearing, and the right to appeal. I an evidentiary hearing. This Agreed Order |
| I, the undersigned, have read and understand the attach the attached Agreed Order on behalf of the entity, if agree to the terms and conditions specified therein. | |
| I also understand that my failure to comply with the Ormy failure to timely pay the penalty amount, may rest A negative impact on my compliance history; Greater scrutiny of any permit applications su Referral of this case to the Attorney General additional penalties, and/or attorney fees, or to Increased penalties in any future enforcement Automatic referral to the Attorney General's O | ult in: bmitted by me; ral's office for contempt, injunctive relief, o a collection agency; actions against me; |
| me; and TCEQ seeking other relief as authorized by la In addition, any falsification of any compliance documents. | |
| Haud Uffalls | 3/14/2008 |
| Signature | Date |
| RAUL G. SALINAS | MAYOR |
| Name (printed or typed) | Title |
| Authorized Representative | |

Attachment A Docket Number: 2007-0441-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:

City of Laredo

Penalty Amount:

Eight thousand thirty dollars (\$8,030)

SEP Amount:

Eight thousand thirty dollars (\$8,030)

Type of SEP:

Pre-approved SEP

Third-Party Recipient:

Texas Association of Resource Conservation & Development

Areas, Inc. ("RC&D") Water or Wastewater Treatment Assistance

Location of SEP:

Webb County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset the administrative Penalty Amount assessed in this Agreed Order for Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

Respondent shall contribute the SEP Amount to the Third-Party Recipient pursuant to the agreement between the Third-Party Recipient and the TCEQ. Specifically, the contribution will be to the **Texas Association of Resource Conservation and Development Areas, Inc.** ("RC&D") for the *Water or Wastewater Treatment Assistance* program in Webb County. Any remaining SEP funds after completion of the water or wastewater project may, upon approval of the Executive Director, be spent on the Plugging Abandoned Water Wells program, Cleanup of Unauthorized Trash Dumps, Abandoned Tire Site Cleanup, or other approved project to be conducted within Webb County. Specifically, SEP monies will pay for assistance to low-income residents with failing on-site wastewater systems or shallow or improperly designed potable water wells. The projects will be administered in accordance with federal, state, and local environmental laws and regulations.

Respondent certifies that there is no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

The wastewater portion of this SEP will provide a discernible environmental benefit by preventing the release of sewage into the environment. Raw sewage can carry bacteria, viruses, protozoa (parasitic organisms), helminthes (intestinal worms), and bioaerosols (inhalable molds and fungi). The diseases they may cause range in severity from mild gastroenteritis (causing stomach cramps and diarrhea) to life-threatening ailments such as cholera, dysentery, infectious hepatitis, and severe gastroenteritis. People can be exposed through:

- Sewage in drinking water sources.
- Direct contact in areas of public access such as in lawns or streets, or waters used for recreation.

City of Laredo Agreed Order – Attachment A Docket No. 2007-0441-MLM-E

- Shellfish harvested from areas contaminated by raw sewage.
- Inhalation and skin absorption.

Sewage overflows may cause damage to the environment. A key concern with sewage overflows is the effect on rivers, lakes, streams, or aquifer systems. In addition to potential spread of disease, sewage in the environment contributes excess nutrients, metals, and toxic pollutants that contaminate water quality, cause excess algae blooms, and kill fish and other organisms in aquatic habitats.

The unauthorized trash dump and abandoned tire clean up portions of this project would provide a discernable environmental benefit by providing for the proper disposal of debris and waste, reducing the potential health threats associated with illegally dumped wastes, helping rid the community of hazardous contaminants that may leach into the soil and water, and helping to prevent the release of harmful chemicals into the air should illegally dumped tires catch fire.

The plugging of abandoned wells project would provide an environmental benefit by reducing the potential for contamination of groundwater and aquifers from pollutants that may be dumped into the well opening.

Recycling of antifreeze would provide an environmental benefit by providing a convenient disposal method for used antifreeze. Antifreeze (ethylene glycol) is a common coolant for automobile engines. Ingestion of antifreeze and its derivatives may lead to kidney failure and harmful effects to the liver. Exposure to ethylene glycol may cause eye and skin irritation. If improperly disposed in the environment, ethylene glycol may be ingested by domestic animals or wildlife. Ingestion may be fatal to small animals. A sudden release of ethylene or propylene glycol into a waterway can produce adverse impacts upon fresh water and marine environments. Glycol degradation in the environment has a high oxygen demand and as a result threatens or negatively impacts aquatic life. Ammonia gas is also released to the environment by the degradation of glycols.

C. Minimum Expenditure

Respondent shall contribute at least the SEP Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, Respondent shall contribute the SEP Amount to the Third-Party Recipient. Respondent shall mail the contribution, with a copy of the Agreed Order, to:

Texas Association of Resource Conservation and Development Areas, Inc. (RC&D) Attention: Eddi Darilek 1716 Briarcrest Drive Suite 510 Bryan, Texas 77802-2700

3. Records and Reporting

Concurrent with the payment of the SEP Amount, Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Amount to the Third-Party Recipient. Respondent shall mail a copy of the check and transmittal letter to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Amount.

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due with the notation "SEP Refund" and the docket number of the case, and shall send it to "Texas Commission on Environmental Quality" and mailed to:

Litigation Division Attention: SEP Coordinator, MC 175 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP made by or on behalf of Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as a SEP for Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.